

**PB# 99-19**

**Rt. 32 Auto Brokers**

**35-1-45**

Approved 1-24-00

Wilson Jones - Carbonless - 51654-NCR Duplicate - 51657-NCL Triplicate

© Wilson Jones, 1989

DATE July 7, 1999 RECEIPT NUMBER 99-19  
RECEIVED FROM George Ross  
Address P.O. Box 616 - Pomona, N.Y. 10970  
Seven Hundred Fifty 00/100 DOLLARS \$750.00  
FOR Site Plan Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750 -	CASH	
AMOUNT PAID	750 -	CHECK	#1033
BALANCE DUE	- 0 -	MONEY ORDER	

BY M. W. Hansen

Wilson Jones - Carbonless - 51654-NCR Duplicate - 51657-NCL Triplicate

© Wilson Jones, 1989

DATE July 7, 1999 RECEIPT NUMBER 199-1  
RECEIVED FROM George Ross  
Address \_\_\_\_\_  
One Hundred 00/100 DOLLARS \$100.00  
FOR P.B. # 99-19

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	ok # 1032
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy H. Hansen

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(814) 563-4611

**RECEIPT**  
**#62-2000**

02/02/2000

*Rt. 32 Auto Broker Approval Fee # 99-19*

Received \$ 100.00 for Planning Board Fees, on 02/02/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen  
Town Clerk



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 02/02/2000

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 99-19  
NAME: RTE 32 AUTO BROKERS  
APPLICANT: ROSS, GEORGE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/07/1999	REC. CK. #1033	PAID		750.00	
07/14/1999	P.B. ATTY. FEE	CHG	35.00		
07/14/1999	P.B. MINUTES	CHG	27.00		
11/17/1999	P.B. ATTY. FEE	CHG	35.00		
11/17/1999	P.B. MINUTES	CHG	90.00		
12/22/1999	P.B. ATTY. FEE	CHG	35.00		
12/22/1999	P.B. MINUTES	CHG	85.50		
01/22/2000	P.B. MINUTES	CHG	67.50		
01/24/2000	P.B. ENGINEER FEE	CHG	499.50		
02/01/2000	REC. CK. #2319	PAID		124.50	
TOTAL:			874.50	874.50	0.00

*P. Zappalo*

DISCUSSION

ROUTE 32 AUTO BROKERS (99-19)

Mr. Craig Marti of Valdina-Marti appeared before the board for this proposal.

MR. PETRO: This is for discussion of repairs at the site. I talked with the owner and asked him that it would be a good idea for him to come in because we never really discussed repairs along with everything else, not that I thought it was a problem or a good idea, whatever the board wanted.

MR. MARTI: Yes, that's my understanding of, based on the conditional approval at the last meeting which we received and the researching, the reference which was asked for for prior approval which dates back to 1993 with regards to prior site plan approval, there was a slight difference I believe in the hours of operation which we discussed at the last meeting and the hours of operation which were a contingency of the last approval were 8 a.m. to 8 p.m. I believe we were talking about 7 p.m. at the last meeting, so I think for clarity which makes it consistent with the 8 to 8 or whichever is preferable to the board.

MR. PETRO: Well, I think what we had said, we left it with whatever the original approval was for is what we're going to follow. So if it was 8 to 8--

MR. MARTI: Be consistent?

MR. PETRO: Don't the minutes reflect that, just so we know it's 8 to 8?

MR. MARTI: In researching that, Myra had indicated that there was a desire of the board to come back and discuss the repairs which were as I understand it intended to be conducted on the site, it's my understanding and Mr. Ross--

MR. PETRO: Which building?

MR. MARTI: As I understand it, the question with

regards to the repairs would be in relation to building number 3.

MR. BABCOCK: Building in the back by George Chaleff's.

MR. MARTI: The proposal and application was for a conversion of the front building to retail used auto sales. The back building, the Barry's Automotive, was to remain as is, the residential structure was to remain, the back building which is currently being occupied and used by Route 32 Auto Brokers as a preparation area in conjunction with a wholesale auto business in conformance with a letter which we had received in February of 1999, whereby the Town felt it appropriate to continue with that use in conformance with the prior approval, and then the, in conjunction, we did make application for the retail sales from the front building. The desires, as far as repairs to be made to the automobiles in the back deluding at this point in time, the Department of Motor Vehicles registration which Route 32 Auto Brokers is existing at this time is for a retail dealership with used autos, that retail license from the DMV allows them to make repairs to their own vehicles which they have purchased either via wholesale or purchased for resale to make the necessary repairs to repair them for retail sales to the general public. That license does not allow them to repair vehicles that are not their property, once they make the sale, it's then a private vehicle and they are not licensed to do repairs on that vehicle from that point on.

MR. PETRO: Mike, is auto repair a permitted use in the zone?

MR. BABCOCK: Yes, except it wasn't stipulated in the minutes from back then and that's what we're here for tonight.

MR. PETRO: It's a permitted use?

MR. BABCOCK: Yeah, the planning board back when Pat Torpe was in for that, they talked and they said the word repair was mentioned a few times, but it wasn't part of the approval, we just wanted to clarify that

for everybody's interest, so that when he's repairing a car of his own which I have no objection to, I don't have anybody coming to me saying why is this guy repairing, the planning board didn't say it was okay.

MR. PETRO: But my question is why does the car even have to be one of his own? Why can't he repair any car?

MR. BABCOCK: Well, he's not looking to do that but if he wants, he could.

MR. MARTI: That would just require a different license.

MR. PETRO: Nothing to do with the PBA.

MR. MARTI: As far as the site is concerned, my understanding that building 3 would be that type of use of that building would be permitted as the site has previously been reviewed and under the current zoning.

MR. PETRO: Point I'm making is I believe that he should be able to repair vehicles on the site if it's a permitted use in the zone with no restrictions.

MR. EDSALL: Just so the record is clear, it's a use permitted but it's permitted by special permit. But the law doesn't, the Town Law, Zoning Law doesn't distinguish who owns the vehicle. What we have to have clear in the record the board had given approval for service repair in the past.

MR. BABCOCK: No, that's where our problem is. There's no service repair for the building.

MR. LANDER: But now it was, am I correct in stating that it was for wholesale sales originally?

MR. ROSS: No, always was a repair shop going back 25 years.

MR. LANDER: No, I'm not saying that, we're talking about the application that's before us right now.

MR. ROSS: That wasn't given as per letter back in March of '99 for retail and it was wholesale, then we got the approval couple weeks ago for retail.

MR. LANDER: Originally, it was wholesale, right?

MR. ROSS: It was meant to be retail all along.

MR. MARTI: In conjunction with this, I reviewed the file from previous submittals and I found a letter written August 20 of 1993 which was addressed to 20th Century Towing written by Mark Edsall Consulting Engineer at the time which references conditional approval of June 23, '93 to operate and words auto repair shop do appear there. Now, what the prior minutes would reflect is a little bit different. Now, the minutes from then, there's some board discussion with regards to the use, basically, in general, in '95 so what transpired between '93 and '95, if it's determined that a special use is required for them to make the repairs either under their license which they are seeking or as a license repair shop, if they were to expand the license, the DMV, if there's no objection of the board to the buildings being used as repairs, which is consistent with other operations on the site as well as on the adjoining sites to the north of this particular site, I would request that we would, I would respectfully request that you grant the special use permit subject to whatever terms are required in the Town Code.

MR. PETRO: I have no problem at all. To me, it's pretty cut and dry.

MR. MARTI: That way it's clear for the record that as long as it's--

MR. LANDER: 20th Century Towing was in there for detailing work and I'm only going back by memory cause I don't have the minutes in front of me for that application, but it was for detailing, cleaning, and bringing these cars in. Now all you have to do now is just make an application to have that special permit reflect your repairs of the cars that are being sold in the front or anybody's car, there's already a repair

shop on that site now, isn't there, George?

MR. ROSS: No, 20th Century did general repairs, too.

MR. PETRO: You're stating the letter of 1993 that it mentions repairs?

MR. MARTI: Conditional approval referring to the use of it as a repair shop, so that would, whether that was under special conditions, may have been attached to a special use permit at that point in time.

MR. PETRO: It didn't go with the special use permit, if we originally said repairs.

MR. EDSALL: I don't know, Mike and I were just discussing the fact that there was a problem when he was, 20th Century Towing was attempting to get his license as to whether or not he could repair the vehicles he was bringing in on recovery. And it may be that the repair was authorized, but under the narrow scope of being the vehicles that were being brought in, it wasn't a general repair shop. So I don't think that that letter should be read to change what the board might have done so. I think that whatever the board approved is what we should go by.

MR. MARTI: I would agree with that.

MR. BABCOCK: We're trying to, I'm not trying to stop them from doing anything, I'm trying to make sure that what they want to do they have the approval for and going through the minutes, and what I read and what Myra read, it appears to me that 20th Century Towing got an approval for towing and recovery and detail. There's mention of retail repair and are we going to, but nobody officially said we want a repair shop here and nobody officially of the board members said you're approved as a repair. So I want this gentleman, I think, I don't think the board has a problem, I'd like the board to make a motion and say it's okay for that building to be used as repair and we'll write him a letter and it's all over with now, it's in the minutes, he's safe, somebody comes to me, how come he's repairing cars, the board never said it, yes, they did,

here's the minutes and it's over with for his protection.

MR. LANDER: You're saying it now, when we're not at a public hearing, we can't do anything, can't change the use and not have a public hearing.

MR. BABCOCK: Well, the special permit requires that.

MR. LANDER: There's one that exists there now stated it's there for recovery auto detailing, I was on the board at that time, never mentioned anything about auto repair.

MR. EDSALL: The point is that your approvals go with a site, they are not introducing a new special permit to the site because building number 2 is a service repair garage and has existed as a service repair garage so the use is already there. It's a matter of this board says that you're going to allow an approved special permit use that exists and is approved to occur in more than one building on the site.

MR. LANDER: You're going to have a problem with that only because the neighbor that's next door is not aware of what that building is, he figures it's a detailing shop, nothing about repairs.

MR. EDSALL: Don't get me wrong, I'm not saying that you should or should do anything. What I am saying I don't think you're introducing a new special permit as to how you handle the application.

MR. PETRO: The question only is under the old special use permit which was put out, did or did we not mention the word repair. If not, then he's got to apply for a new special use permit.

MR. LANDER: That's the way I see it, if it's not on there to begin with, it has to be a new special permit.

MR. PETRO: Is it or isn't it?

MR. ROSS: I had nothing to do with Torpe, whatever permits he wanted. At the time, unbeknownst to me, a

letter was written by Mark and I was completely out of it. The only thing I knew I paid a bill for a letter to Torpe, I was never a party, but it always was repair going back 25 years that I owned it, Orange Auto Electric was there.

MR. LANDER: George, we're going to have a problem if somebody comes in and says to us I want to see that special permit, he's not permitted to have a repair shop there. So, now, if you want to, we have to head off that situation by telling you that if it's in our minutes that that repair shop is not on there.

MR. ROSS: We'll come back for repair, it's a huge point that's needed, but I don't see why it can't encompass it. I just want to go on record I gave pictures even to my engineer because a lot had to do with screening, showing the fence that I have, beyond that fence are trees, he has another picture now we're taking down and I have just discovered in the survey that 25 feet of my land goes onto that, Mr. Chaleff's now is 25 feet onto my land. I didn't think anybody is going to be objecting or anything else, it's a broad thing, I mean, whatever's consistent with used cars.

MR. LANDER: George, all I can tell you what the law states in that if it's not in the special permit, then you have to rectify that by applying for another.

MR. PETRO: Are we positive it wasn't in the special use permit? He's saying that we mentioned it.

MR. MARTI: You mentioned it in subsequent correspondence.

MR. BABCOCK: In discussions and then in correspondence, yes, but not in the approval, I had Myra go through it, she said it's not there.

MR. LUCAS: Does it affect your business now?

MR. BABCOCK: He needs to apply for his licensee, wrote me a letter asking me to send another one of these letters, I'm refusing to do so.



MR. MARTI: What I'd like to offer here maybe to break the stalemate for lack of a better description, Mr. Petrelli is basically operating a wholesale automobile dealership in the, in accordance with wishes of the board and the like, what we have been going through, the application process.

MR. LANDER: He said wholesale.

MR. MARTI: Wholesale retail license requires planning board approval, site plan specifically allows the retail, this would allow in this case this building to be used for retail sales. If indeed it's determined that we need to make application for special use permit, what I would respectfully request is that the site plan for the retail use of the front building be approved. I can add the notes regarding the hours of operation. I can add the dumpster, meet the conditions of the approval which we received last month, such that the process for the Department of Motor Vehicles can continue, they can become licensed to retail used automobiles for the front building, such that Mr. Petrelli can expand his business so he can become profitable with regards to selling the automobile. If it's the determination that we need to make application to the board regarding the special use permit, I would request that that be handled as a separate matter and in which time we can prepare the application materials and approach the board. If it's determined that that is necessary, independent of the approval for the retail sales of the automobiles because Mr. Petrelli could then obtain his license for retail sales.

MR. PETRO: You already have that approval.

MR. MARTI: We have the approval for wholesale. The Department of Motor Vehicles requires a specific site plan approval for retail sales use of this building because the used auto sales would require site plan approval. So Mr. Petrelli is awaiting the site plan approval with regards to used auto sales on retail basis which they can take care of from the office facilities, if indeed the repair facilities need a special use permit, then we would have no alternative but to prepare a separate application. Actually, I

would recommend that they do that, such that they can get everything cleared up.

MR. LANDER: So, let me get this straight now, you have approval for wholesale in building 1?

MR. MARTI: No, that was for building 3. We currently have, we went to a workshop in February, I think it was January or February, it was determined that back building could be used for wholesale. The front building is currently vacant with the exception of couple desks that are still there. The request at this time was to get, we went through the variance procedure, the requested site plan approval to use the front building for the retail sale of used automobiles.

MR. LANDER: Right, now it's wholesale.

MR. MARTI: Right now it's wholesale only in the back building, front building is legally empty at this point.

MR. LANDER: It's legally empty, but you do have approval for the front building?

MR. ROSS: Yes, for retail.

MR. MARTI: That's contingent.

MR. LANDER: If you have approval for retail in that front building, what are you doing back here? You already have the approval for retail, you go to Motor Vehicles.

MR. MARTI: That was the approval we received last night.

MR. EDSALL: They are back on the issue of building 3 and service repair garage.

MR. LUCAS: You're saying when it was applied for a special permit there were not repairs put on the application?

MR. BABCOCK: Auto wholesale recovery and prep shop,

that's what it was approved for.

MR. LUCAS: What's prep?

MR. LANDER: Detailing, cleaning.

MR. MARTI: Cleaning and detailing.

MR. LUCAS: But in correspondence between you saw repairs?

MR. MARTI: I believe that was between the engineer.

MR. EDSALL: Can I see that? Do you have the letter?

MR. MARTI: I don't have it with me, but even then, it's relatively moot point whether the approval was given or implied through subsequent correspondence or whatever, is a matter of a legal determination, legal review of the record.

MR. PETRO: Sounds like this to me, not to cut you off, I'm getting, you know, hate to say it again, but tired, you already have the retail use as far as I know on the front building 1, building 2 retail car sales there.

MR. MARTI: That was approved last month.

MR. PETRO: Right.

MR. MARTI: Make the provisions to the plan, we'll get your stamp on that plan then we can continue.

MR. PETRO: If you want to do repairs, sounds like to me if you want to do repairs in the back building on vehicles, that according to the special use permit that you have now, it's not permitted because it was omitted for some reason, whatever that may be so you'll have to make a new application for repairs in back building.

MR. MARTI: And I will revise the plan.

MR. PETRO: Doesn't seem like there's any other way.

MR. ROSS: I'm confused because we just want to prep

and get cars ready for sale ourselves, without anybody coming saying you adjusted an air hose.

MR. PETRO: Big difference between prep and repairs, I mean to me, even repairs, probably changing spark plugs.

MR. ROSS: I don't know but who determines that? All the time I have to go into court each time.

MR. EDSALL: We have been side discussing here building 3, and I believe the word prep would apply to detailing or if there's a wholesale car that he bought, meaning the owner and he was just preparing it to ship back out, and in this case could be to sell it in his retail building up front, I don't think that's where the objection comes in, I think it's a repair garage as in taking in vehicles as the Chairman said, not owned by the business owner.

MR. PETRO: Why don't we leave it to that effect, if he's going to repair or prep his own cars, he can sell the cars, let him do that as part of the special use permit, that's how we'll interpret prepping. If you decide you're going to start repairing, if I bring my wife's car, can you do this, then you need a special use permit.

MR. ARGENIO: I was going to say the prep of a vehicle should not be exclusively limited to waxing and washing, exhaust needs to be tightened up, he should be able do that or change the spark plugs.

MR. PETRO: We'll augment the record, prep, to make it satisfy the applicant. I can't being in my old pickup truck and ask you to do a motor job, that's not what we're talking about.

MR. MARTI: We limit the repairs made to the parameters to the retail sales license which allows him to work on vehicles, seems as though the board would have no problem in incorporating prep to include that.

MR. PETRO: I don't have an objection.

MR. ARGENIO: I would agree with that statement as well.

MR. PETRO: If it did go beyond that, then you have to amend the site plan.

MR. MARTI: If it did go beyond the parameters of the retail license.

MR. ROSS: You mean if I open it to the public?

MR. MARTI: Then you would need special use permit.

MR. ROSS: Which is not the intention.

MR. EDSALL: That includes, I believe the Chairman also stated repairs of vehicles after vehicles are sold, that's not prep. We might be coming to a conclusion consistent with the State licensing laws.

MR. MARTI: That's what they're looking for, if you can come to conclusion with the term prep to be consistent with the license which he will obtain to retail used car sales, they would be happy at this point in time and then they would not need any special use permit until they decided to seek a broader license.

MR. PETRELLI: The retail license includes repair of your own vehicles, once the vehicle is sold and somebody comes back, says the brakes ain't good, I have to send it out to another repair shop, that's New York State law.

MR. PETRO: We're agreeing with it anyway. Okay, everybody understand that now what we're doing?

MR. LANDER: Yes.

MR. ARGENIO: Yes.

MR. LANDER: I understand what you're doing.

MR. PETRELLI: Can I ask one thing very simple, for me last time you were in the meeting, we got the approval, that same day, we went ahead and made application to

amend it to retail sales. Now it gets sent to Albany and they want to come out and inspect me to change over retail sales. If I tell them that I'm holding them off day by day, they said I can either get a C.O. or a letter from the board saying that it's all right for me, that I went ahead and did everything to do retail sales to keep the ball rolling. If I stop it now, I'm going to be set back two months, they reject the application, redo everything, it takes a week.

MR. PETRO: Do you have a C.O.?

MR. ROSS: No.

MR. PETRO: Why not?

MR. ROSS: I don't know because of this meeting.

MR. PETRELLI: It got stopped because of this, I went ahead and did what I did to do Motor Vehicle.

MR. EDSALL: Jim, I think now that I think it's clear on the record Myra should be comfortable with closing out the application, they should pay the fees and get the plan stamped.

MR. MARTI: Revised plan by Friday.

MR. ROSS: His only point is that he put in the application and they are due to come every day.

MR. PETRELLI: They were going to be here today, can you do it, I want to have a meeting, so they said that if I can just get a letter.

MR. EDSALL: It's going to take just as long as it is to get the plan stamped.

MR. ARGENIO: You're off and running, it seems to me.

MR. PETRO: Come in and pay the fees, one of us will come up and sign the plans, get a C.O. through the building department.

MR. ROSS: Can he get a letter stating that it's okay

and I think that would satisfy the Motor Vehicles, too?

MR. EDSALL: Letter saying what?

MR. ROSS: That he can operate retail.

MR. EDSALL: That's what the stamped site plan's going to tell him.

MR. ROSS: That takes time, it's a personal hardship.

MR. BABCOCK: You're not going to get a letter from me until you have a stamped plan. If you want a letter that beats around the bush saying that you've got the approval from the planning board, but you didn't pay your fees, yet you didn't do this, yet--

MR. ROSS: I'll pay the fees.

MR. MARTI: This can be turned around in a matter of a few days.

MR. EDSALL: Minutes are going to be--

MR. PETRO: If he's paid, you get everything done, if Jim's not available, I'll come up and sign them myself, I'm around every day, we're here. After tonight's meeting, you're done. So unless you want to start real repair, then I'm getting redundant, then you have to come back for the special use permit.

MR. ROSS: Is that permitted in this area for future use if we ever wanted it?

MR. PETRO: Yeah, with the special use permit.

MR. ROSS: Just need a planning board hearing.

MR. PETRO: Really what you want to do is amend your special use permit, okay, enough so that have--did you get the lights straightened out with your neighbor?

MR. MARTI: Wasn't on tonight.

MR. PETRELLI: The light that's there, there's no light

that I see but I don't know.

MR. ARGENIO: You said you were going to turn the light at the last meeting. Did you turn the light or not?

MR. PETRELLI: If you look, there's trucks right there, there's shadows that way there's no light on the house.

MR. LANDER: I don't know whether the light shines in the kid's bedroom, the bedroom might be in the attic.

MR. ARGENIO: Did you turn the light, yes or no?

MR. MARTI: One other question there was prior approval at last month's meeting, there was discussion about no work on Sundays, no towing on Sundays, various people referred to it in a different manners. The applicant has requested that we seek clarification as to whether the no work on Sundays referred to the towing and the repairs and the noise generating types of activities relating to building 3 and he would still like to do the retail sales or have a salesperson available on Sundays.

MR. PETRO: Yeah, I don't think that's what we're talking about, I think the towing and repair I think we even mentioned that, if you want to stand there and sell a car, that's up to you because it was a noise factor.

MR. MARTI: Okay, he just wanted to clarify that while we're still here.

MR. PETRO: Towing was the main problem.

MR. MARTI: Thank you very much.



RT. 32 AUTO BROKERS SITE PLAN (99-19)

Mr. Craig Marti appeared before the board for this proposal.

MR. PETRO: Application proposes conversion of the southerly building to a used auto sales facility. The plan was previously reviewed at the 4 July, 1999 and 19 November, 1999 planning board meeting. The application is before the board for a public hearing at this meeting. Mike, just go over this once again, this is a permitted use in the zone?

MR. BABCOCK: Yes.

MR. PETRO: Thank you. Once again, someone's here, wants to speak on behalf of this, this is a public hearing, we're going to review it first as a board and at such time I will open it up to the public. Okay, Mr. Marti?

MR. MARTI: Craig Marti with Valdina-Marti Engineering and Surveying. The plan as currently submitted has been revised to address previous concerns and comments of the planning board and the consultants. For the benefit of the public, the proposal is to convert the existing vacant building which was recently used as a deli into a used auto retail sales financing and lease establishment to operate in conjunction with the Route 32 Auto Brokers business which currently operates out of the back building as a wholesale used auto distribution business. The remaining buildings on the site which is the building number 2 as designated on the plan is currently an auto repair shop which is to remain as such and the small residential structure in front of the property will also remain as a residential use. If the board has any comments, I would address them at this time.

MR. PETRO: Once again, we're only dealing with the building number one, on this particular site plan and the parking associated to that building?

MR. MARTI: Yes.

MR. PETRO: As far as the use and the use of the property we're looking at the entire site for screening and lighting and drainage, anything else that goes with the planning board process.

MR. MARTI: Right, the only change in proposed use was with regards to the front building and the parking and the site plan has been revised to comply with the area variance and other requests from the zoning board which we have received.

MR. PETRO: Mark has a note which says screening was to have been extended behind building number one, I did a drive-by and went down and looked at it myself, there's some screening there already and Ron, obviously, your property's right next to it, why don't you tell us a little bit about the screening what you saw there. I saw some trees that were already put up.

MR. LANDER: Well, Mr. Chairman, only going from past experience, it's always been a deli, a restaurant, normally when at that time, they would take stuff and put it out the back door, which is the back of this building. Now that it's an auto brokers, that probably won't happen. But the back, there's some screening there, but the back of the building was always an eyesore, not any fault of George but--

MR. PETRO: By the nature of business, you mean?

MR. LANDER: Nature of the business being a deli or restaurant.

MR. PETRO: Well, they removed the dumpster, you've taken that off?

MR. MARTI: Yes, that was one of the requests at the previous meeting was to remove the dumpster from that building and subsequent to the last meeting, it was my understanding that you met with the property owners, had met and there had been some discussion with regard to the screening. Now, we have, we feel that based on the deciduous trees that are in place, the limited visibility of the area, that the screening is appropriate, if the board so chooses to make it a

condition of approval, then obviously, we would extend screening to meet your desires.

MR. LANDER: Has the concrete block dumpster, that's been removed, I haven't even noticed?

MR. MARTI: It hasn't been removed at this point.

MR. ROSS: That's the one you and I discussed at the--

MR. LANDER: I was looking for it on the plan, it's not on the plan.

MR. ROSS: No, because there was a mistake originally on the plan where this is back on the grass and what you said is you prefer it to remain there as sort of a screen.

MR. LANDER: I'm not questioning whether it should or shouldn't be there, it's not on the plan, it's not on the property, but it's not on the plan and should be shown on the plan. He can add it to the plan, I'm not saying it has to be removed or has to stay, but it has to be, if it's there, it has to be shown on the plan.

MR. ROSS: But it won't be used as a dumpster, it's just there, it's a concrete wall.

MR. LANDER: I have no problem with that, just that it's not on here and if it's on the property--

MR. PETRO: The dumpster enclosure is still there, just not shown on the plan.

MR. MARTI: Right, it's my understanding it would not remain part of the site plan, however, if the, if it's the consensus that it can stay there and it's of no objection to anyone, I can show that location on the plan.

MR. LANDER: We've got to show it and let me comment that the lighting has been upgraded, I noticed that last night.

MR. PETRO: Mark, what about the parking calculation,

what's wrong with it?

MR. EDSALL: It's just a, the unique way that new Windsor's code is set up as far as bay areas and the accountability for areas of the building outside of the bay and I can work that out with Craig.

MR. ARGENIO: Even after the correction, they by far exceed what's required, is that correct?

MR. EDSALL: Yes and no, I mean, we can't count storage spaces and display spaces as the required parking. Do they have enough customer space is what it comes down to, my calculations shows they need 30 and they provide 30.

MR. MARTI: Based on my conversation with Mr. Edsall, I had done, revised the calculation, I got a different number than he had gotten but I believe it was one parking space. Rather than revise the calculations as shown on the plan, we put our interpretations of the code throughout the calculations, we revised the number of available spaces to reflect the requested number that Mr. Edsall had--

MR. ARGENIO: They meet the requirement?

MR. EDSALL: Before you stamp the plan, we need to conform the calculation, they meet the requirement, it's no big deal, they meet it.

MR. ARGENIO: If I may, the firm in which I'm a principal in is currently engaged in a project at Stewart Airport where Valdina-Marti is the site engineer for the job and I work with Mr. Marti during the week, we converse about many things relative to that job. However, that relationship will have no bearing on these plans and my decision to vote on this.

MR. PETRO: So noted. Okay, can I have a motion?

MR. LANDER: One more question, Mr. Chairman, hours of operation, Mr. Marti?

MR. MARTI: My discussions with the Route 32 Auto

Brokers indicated that they'd primarily be a six day type of week, however, there's a, with the nature of auto recovery and repair services which they place on the site, the likelihood of there having to be a delivery, a movement of an automobile on the seventh day would probably be likely, I'm not, I would not be in a position to, you know, commit my client to, you know, a specific time of day. If they would like to elaborate further, they can. Also with me is Mr. Frank Petrelli of Route 32 Auto Brokers and George Ross, who is the owner of the property.

MR. PETRELLI: Usually hours of operation between 9 and 7, I would imagine about 9 and 7 may be a little bit earlier 9 to 6, Sundays, like I said, we might be bringing in a car, out a car, usually may be sales in the front, but depends on which one.

MR. PETRO: Anything else?

MR. EDSALL: Mike and I were looking at the older plan versus the latest one to look at the dumpster wall, there's a possibility that that wall may result, that condition where someone pulling in the first handicapped space won't be able to open the doors based on the size of the space and location of the wall.

MR. MARTI: The location shown on the first submittal is proposed location, the location of the existing one which I thought would be, is actually off the edge of pavement between edge of the pavement and the pine trees so there would be no interference with parking.

MR. EDSALL: The one on the original plan was something proposed.

MR. MARTI: Yes, proposed as a replacement to the old one.

MR. EDSALL: That clarifies that.

MR. PETRO: Okay, at this time, I'd like to open it up to the public for any comments. On 12/10/99, nine addressed envelopes containing the attached notice of public hearing with the certified list was provided by

the assessor's office did go out. If anyone is here who would like to speak on behalf of this application, I have a feeling there is, please be recognized first by the Chair and come forward, state your name.

MR. GEORGE CHALEFF: Gentlemen of the board, Mr. Petro, my name is George Chaleff, I live next door to Mr. Ross' property, I have a couple of concerns that I'd like to voice at this time and the first, I'd like to bring to note is the parking, how many spaces are you asking for here on the map as far as the perimeter of this drawing?

MR. MARTI: Yes, the parking space, parking area which is proposed to be utilized is actually the existing parking surface with some minor straightening of the edge of pavement and some minor cleaning up, such that it, available area conforms with the required parking requirements.

MR. CHALEFF: How many spaces in back of the building here?

MR. MARTI: Showing with the S designation, storage spaces total of 31, display spaces for the automobiles for sale is 16, there's 27 parking spaces which has been bumped up to 30 which has been provided, this is the parking required so total 79 spaces which are delineated on the plan.

MR. CHALEFF: First point I'd like to make right now there's no space when you come between most of the building and here, the cars are lined up pretty much one on top of the other and going right to just about the perimeter of the outside. Other concerns I have are the hours and days of operation, being that I live next door.

MR. ARGENIO: If I can just interrupt you for one second, is your residence shown on the plan?

MR. CHALEFF: I'm on the north side of this right in here.

MR. ARGENIO: You're the owner of the property?

MR. CHALEFF: Correct and I live there, too, so it's real important that I get some peace. And in the past, we have had problems with people have come in there with towing businesses and I have been wakened and my family have been awakened at 2, 3, 4 o'clock in the morning from chains being dragged over the aluminum surface of the flatbed. And I can tell you it's not the way you want to sleep, it's really annoying and it's a very bad condition. And I want to avoid that as much as possible. So primarily, I'm very concerned about the hours and days of operation and I already had a talk with Mr. Petrelli and he came over to me and addressed me in November and we discussed some hours of operation and he agreed to no Sunday operations at that time and it was just like a week later that the tow truck was coming in, you know, unloading stuff on Sunday, about a week later after he told me there wasn't going to be any Sunday operations. And the following week, again, or actually I've got the date right here, a couple weeks went by, this is December, we had another on 12/19 and this is mind you after he told me no Sunday operations, so, like I said, the hours of operation the Sunday operations, these are extremely important to me. And I also have noticed that he's installed a high intensity light there which we find annoying and offensive. My son is already telling me that he has to sleep with his face down in the bed, that's with all the shades and everything closed, so that's how bright it is next door. So, I'm concerned about the light, also concerned about the noise and did I miss anything? The other thing is, too, I'm pretty sure there are still inground gasoline tanks towards the front of this parcel, it used to be a gas station a long time ago, now I don't know whose responsibility that falls into, but I'm not really sure that in this day and age we should have viable gas tanks still in the ground.

MR. ROSS: That was removed seven years ago. Mr. Babcock is familiar with that.

MR. BABCOCK: I can verify it, I don't remember that off the top of my head, we've got--

MR. ROSS: Well, it's on record Ira Conklin moved it, there was a question when I came before the planning board once before and the old soil was removed.

MR. PETRO: Tanks are all registered with the State to start with, so especially in December of 1998, that was the last, that was the deadline to remove any steel contained tanks, so the point I'm making, if it wasn't done, you certainly would have been notified. And I'm sure the Town would have been notified, the fire department, so I would think that it would have been done or it would be a big problem because they are going around, December of '98 exactly a year ago December 22 was the deadline.

MR. ROSS: I remember it because I spent the \$30,000.

MR. PETRO: It's a good reason to remember. Some of George's problems come from obviously he lives in a C zone which you know makes it tough to have a business, a home, a residence and then a business, a home and a residence. But he has been there for quite a while, so I think, obviously, he has some rights as does his neighbor. So as far as the hours go, you know, you're talking during the week, you're going to knock off by 7 o'clock, so I don't think that's too outlandish, but Sunday, you know, is a tough day to be hauling in and out.

MR. PETRELLI: When I spoke to him, I also advised him since I'm in the operation, right now has been a minimum, I have been doing extra just to make a living, I have been working extra hours because I have been so, I mean, I'm not able to do a normal used car business there now, I'm a wholesaler, so I have to work extra just to get by, and I mean, I hope I don't want to be working Sundays either, to be honest with you, just want to, there was a lot at that point just to make it.

MR. PETRO: I don't think if you want to go out and sell a car, I don't think that's a problem on a Sunday, actually, heavy traffic we need to put a restriction somehow as far as towing.

MR. LUCAS: Why do cars have to be towed up to the area



if it's an emergency towing?

MR. PETRELLI: Can I say this? I worked on this Sunday and what I did was I dropped the cars at the front building and put them in there until Monday, then bring them up in the back, I don't know if I did work this Sunday, but I towed in five cars and I dropped them in the front building.

MR. CHALEFF: I know we had a talk and we discussed Sunday operations and you told me there were going to be no Sunday operations. When I looked over, I saw Sunday operations.

MR. PETRELLI: I was pushed to do it, but I did try to stay away from the back building. I understand the chains on the flatbeds, what he says, prior person had done that, I have not brought a tow truck in 2 o'clock in the morning, my tow trucks are not on the road.

MR. PETRO: Final approval, you're going to do less on Sunday because you have the whole week to do it.

MR. ROSS: We're not a towing company, I think the previous company was 20th Century Towing and they would do recovery work, where somebody would break down four or five in the morning and be towing cars in.

MR. PETRO: What are you doing in the back now, just storage of the vehicles, it's your company in the rear also?

MR. PETRELLI: Yes, in the back and that's the storage of the cars before they get prepped. The only reason why another thing he addressed cluttered up right now in December, wholesale slowed down a little bit, and when they usually are slowed down a little bit, that never gets cluttered like that.

MR. LANDER: Let me just interject something here. What George is alluding to was prior operator of this garage in the back, which they weren't supposed to be bringing cars in after a certain hour at night and yet they were still doing it. So George voiced his objections to that, we brought the owner or the

operator back in and you know it was an ongoing thing because it was a recovery.

MR. CHALEFF: It was by special permit, I believe the last time, so I don't know whether they are still trying to still operate on the prior special permit.

MR. LANDER: We want to avoid what he had before, you know, complaints weren't from George, I had to listen from my parents because they live in the house and they are further away from George, but they can even hear them dropping off 2, 3, 4 o'clock in the morning in the summer night, your windows are open, you can hear that noise.

MR. PETRO: Are you objecting to anything after 7 o'clock, I'd like to see the hours of operation ceasing after 7 o'clock.

MR. ROSS: Not for sales.

MR. PETRO: I don't think anybody's concerned about sales, when he's talking to somebody about a car.

MR. ROSS: Towing operation, sure, I have no problem.

MR. CHALEFF: No towing operations after 7 p.m.?

MR. PETRO: Seven days a week.

MR. LANDER: What about Sunday?

MR. LUCAS: No Sunday, you're saying?

MR. PETRO: Up until 7 o'clock, I don't see it as a problem.

MR. CHALEFF: He already agreed that there wasn't going to be Sunday operations.

MR. ROSS: We're not towing cars on Sunday, but what if a car, car has to be brought back, you sell a car, you sell cars there too, they break down, just take the car back, I'm resisting or I'm objecting to I can't bring a car back.

MR. LANDER: I think Sunday is tough from 9 to 7, you know what I'm saying, Mr. Chairman, Sunday is 9 to 7, it's like every day during the week.

MR. CHALEFF: I'm here trying to get some peace from for my life, that's what I'm trying to attain.

MR. PETRO: During the day that's not the major problem, you're talking about 7 o'clock when you're ready to relax?

MR. CHALEFF: If he wants to sell a car, if he brings somebody inside the building on a Sunday, I don't have a problem with that. I just don't want to hear diesel tow trucks banking around, I don't want to hear chains going across the flatbed on a Sunday and don't want to hear it in the middle of the night.

MR. LANDER: His house was there before zoning, so I know this is commercial.

MR. PETRO: We're trying to make both things work, it just happens to be in a C zone.

MR. LANDER: We always had problems with that building back there because of, just because of the nature of that business, you know.

MR. CHALEFF: I just don't want to hear diesel trucks and I don't want to hear noises on Sunday and late at night.

MR. LUCAS: Can we address the issue of the lighting as far as flooding that one particular?

MR. LANDER: Let's see if we can finish this one thing then we'll get on the lighting.

MR. PETRO: My head's spinning already with the one thing.

MR. LANDER: How do you feel about Sunday operations?

MR. ARGENIO: I don't think that Mr. Chaleff's position

is entirely unreasonable, I would be looking for that if I were a resident and especially as the Chairman pointed out that the house was pre-existing before zoning.

MR. PETRO: That was your grandmother's house.

MR. CHALEFF: Mother's house.

MR. BRESNAN: I agree with Jerry.

MR. PETRO: I know Ron does already and Mike?

MR. LUCAS: Yes.

MR. PETRO: So we just need to come to a conclusion about the time of operation, I guess, and set some form of limit on the Sunday operation. And what about the night times, also just a blanket time?

MR. LANDER: Well, the nighttime, 9 to 7, I don't think George has problem with 9 to 7, I wouldn't have a problem.

MR. PETRO: Applicant is saying that is not going to work because if somebody breaks down at 10:30 at night, he has to go get them.

MR. ROSS: I think the problem really lies with the previous tenant that I had 20th Century Towing, who's business was a towing business, we're not in the towing business, we're not bringing in, you know, cars at all hours, we're selling cars.

MR. PETRO: The problem though what happens that's today, three weeks from now, he can buy a tow truck, he's in the towing business and we have no control over it whatsoever. So we need to set some form of guideline now.

MR. ROSS: I think the back building you do have the special permit on it and abide by whatever that had.

MR. PETRO: What does that say, Mark?

MR. EDSALL: Mike and I were trying to figure out if there were any special permit uses.

MR. LANDER: There was on the back building.

MR. CHALEFF: Cause I came to that meeting too, there was a special permit issued.

MR. EDSALL: If you classified the back building as a service repair garage, that would be the only special permit.

MR. LANDER: We did limited hours of operation back there, but it was just it's the nature of the business.

MR. ROSS: I'm willing to go with a limit on the back building for towing.

MR. PETRO: Maybe it should be what are the hours, maybe nine to ten o'clock during the week and no towing on Sunday, that's all there is to it. You have to tow somebody in, if they break down at night, pick them up in the morning, that's all.

MR. ROSS: I just don't want--why can't another day be chosen, Saturday, let's say?

MR. PETRO: He's probably relaxing, you go to church on Sunday, Sunday is the day of rest.

MR. ROSS: That's my Saturday. I'm just saying, we do not intend to be doing towing there, it's not a towing business.

MR. PETRO: Well, if it's not a towing business, then I don't see any problem, so we're going to put that restriction from nine to ten during the week.

MR. CHALEFF: You just said 7 o'clock now you're up to 10 o'clock?

MR. PETRO: We have to be reasonable both ways, I guess because I think--

MR. CHALEFF: My son goes to sleep at 8 o'clock, I

can't see how you could put a restriction of 10 p.m.

MR. PETRO: Is there a town code for noise after a certain time?

MR. BABCOCK: Yes.

MR. PETRO: It's late, right?

MR. LANDER: Do you have the time, is it 11?

MR. PETRO: We have to watch we don't overstep our bounds because it's not a special use permit, George.

MR. CHALEFF: Jim, 10 o'clock is kind of late at night.

MR. PETRO: We might not be able to tell him any time other than code, you follow me, even if I wanted to because it's not a special use permit. So we can't, the planning board can't levy a time.

MR. CHALEFF: I'm getting little confused because the last time somebody came in to use the building, they had to get a special permit.

MR. BABCOCK: One thing everybody should know we're not dealing with that building tonight, what he's here for site plan approval is for the deli, for the used car sales, that building was already approved prior.

MR. PETRO: I agree a hundred percent, but it gives us a chance to review the whole site.

MR. CHALEFF: We already had a personal discussion and he said his set his own limit on 7 o'clock during the week.

MR. ROSS: We have no problem getting along with the neighbors.

MR. LANDER: Let's back up a little bit here, let's go back to what Mr. Babcock just said, the building already has an approval on it for the use that it was being used for prior to this application.

MR. BABCOCK: Which was recovery.

MR. LANDER: Right but there was also stipulated because of the special permit hours of operation.

MR. BABCOCK: That's correct.

MR. LANDER: Can we find out what the hours of operation are?

MR. BABCOCK: I don't have them tonight but we have--

MR. CHALEFF: I'm pretty sure no Sunday operations.

MR. BABCOCK: If that's the case, then it's a moot point, they can't operate on Sunday, they can operate the front building.

MR. CHALEFF: I just want to make sure I don't want to go by memory, this is the only safeguard I'm seeking here and there's been other people in there and I have seen them promise you people, the Town Board the moon, the stars and the sun and once they're in there--

MR. LANDER: What I think should happen, Mr. Chairman, is that we find out what the approval was on that.

MR. PETRO: Myra's going to do that, hours of operation on the rear, we're also going to stipulate regardless of that we're telling you there won't be any Sunday towing.

MR. PETRELLI: If that's the case, I don't intend to do any towing on Sundays.

MR. PETRO: That's a non-issue, we're going to have that on the plan, give us a note to that effect, no towing on Sunday and the hours of operation, whatever it is that's already on the other approval on the pre-existing.

MR. CHALEFF: This is memory now, I don't want to--

MR. PETRO: She'll find it out in the office.

MR. LANDER: Because I want a copy of the minutes.

MR. MARTI: I can make reference to the prior approval special permit for the use of the back building and just indicate any conditions that go with that permit would continue.

MR. PETRO: And the next note saying no Sunday towing operations, okay?

MR. CHALEFF: Okay. The next thing is the--

MR. LANDER: Mr. Lucas wants to talk about the lighting. I've seen that light, I noticed it the other day, they must of just turned it on and it's bright, I didn't know it was shining that far over, I know it lights my driveway up, which is nice, I have a light there also, but this one here, even overshadows the Central Hudson light. It's the type of light that you see at Sunshine Ford and real bright, but Mr. Lucas, it's up to you, go ahead.

MR. LUCAS: No, I'd like to see if the area flooding just blanketed with the way I understand it, I can understand--

MR. PETRO: Can you put a shield behind the light, is that a type of light?

MR. MARTI: That was a light recently installed, I'm not sure of the adjustability of that, but it can be adjusted.

MR. PETRELLI: Excuse me, they came in on a Saturday morning, Central Hudson put it on before we even got there, like 7 o'clock in the morning, when we discussed it, they wanted to point it towards, it's on the pole in front of the building, they wanted to point it towards the building, as you can see on Mr. Lander's property, it does shine, it's faced out.

MR. PETRO: I'm getting tired. Get together with George, have the light taken care of to his liking and to your liking tomorrow, come to an agreement, if it doesn't happen, contact me, we then get a letter out to



them and we'll do something about the light. That takes care of the light. I don't want to hear no more about the light. Anything else?

MR. CHALEFF: I'd like to thank the board.

MR. PETRO: No Sunday operations, whatever the old plan says about the rear towing during the week will just go over to this application. So, whatever was in force then will be in force. Now, the light you're going to work it out with him so it doesn't shine on your son's room? if it doesn't work out, contact me.

MR. CHALEFF: Thank you very much.

MR. PETRO: After Christmas, okay? This is still a public hearing, still open, does anyone else want to speak on behalf of this application? If not, I'll entertain a motion to close the public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board close the public hearing on Route 32 Auto Brokers site plan on Route 32.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Okay, at this time, I will open it back up to the board for any further comment. I think we do have to make a motion for negative dec or positive dec, whatever the board may want.

MR. ARGENIO: Motion we declare negative dec under the SEQRA process.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare negative dec for the Route 32 Auto Brokers site plan on Route 32. Is there any further discussion from the board members? If not, roll call.

## ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: We have highway approval on 11/15/99, we have fire approval on 11/17/99. I think we've hashed this out pretty good. There will be a couple subject-to's which I can read into the minutes, if the board so wishes, I can refresh their mind now or I will read them in. We can have a discussion before the final roll call. Before we get to that, does anybody have anything else in particular they want to talk about? If not, entertain a motion for final approval.

MR. LUCA: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Route 32 Auto Brokers site plan on Route 32, subject to showing the dumpster on the plan as it stands now, conforming with the calculation for parking, to mark's liking, with the note being installed on the plan showing that there will be no Sunday towing at all on the premises on the parcel of property and whatever the hours of operation are with the preceding special use permit be applied to this application. Any further discussion from the board members? If not, roll call.

## ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE

December 22, 1999

27

MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 02/02/2000

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 99-19

NAME: RTE 32 AUTO BROKERS

APPLICANT: ROSS, GEORGE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
01/24/2000	PLANS STAMPED	APPROVED
12/22/1999	PUB. HEARING	ND:APPR COND . SHOW DUMPSTER ON PLAN - CORRECT PARKING CALCS - ADD NOTE TO . PLAN: "NO TOWING AFTER 7:00 P.M. AND "NO TOWING ON SUNDAY" . ADJUST LIGHT SHINING IN NEIGHBOR'S WINDOWS
11/17/1999	P.B. APPEARANCE	LA-SCH PH REVISE
07/14/1999	P.B. APPEARANCE	REFER TO Z.B.A. . SHOW DISPLAY SPACE - NEED 25' AISLE WIDTH - REMOVE THREE . SPACES PRIOR TO ZBA REFERRAL
06/01/1999	WORK SESSION APPEARANCE	REVISE & SUBMIT
04/21/1999	WORK SESSION APPEARANCE	RET. TO WS
02/03/1999	WORK SESSION APPEARANCE	REVISE & RETURN

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 02/02/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 99-19  
NAME: RTE 32 AUTO BROKERS  
APPLICANT: ROSS, GEORGE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/24/2000	S.P. APPROVAL FEE	CHG	100.00		
02/01/2000	REC. CK. #2320	PAID		100.00	
			-----	-----	-----
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/27/1999

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 99-19  
NAME: RTE 32 AUTO BROKERS  
APPLICANT: ROSS, GEORGE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	07/07/1999	EAF SUBMITTED	07/07/1999	WITH APPLIC
ORIG	07/07/1999	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	07/07/1999	LEAD AGENCY DECLARED	11/17/1999	TOOK LA
ORIG	07/07/1999	DECLARATION (POS/NEG)	12/22/1999	DECL. NEG DEC
ORIG	07/07/1999	SCHEDULE PUBLIC HEARING	11/17/1999	SCH. PH
ORIG	07/07/1999	PUBLIC HEARING HELD	12/22/1999	P.H. HELD
ORIG	07/07/1999	WAIVE PUBLIC HEARING	/ /	
ORIG	07/07/1999	AGRICULTURAL NOTICES	/ /	

JOB 97-51

NEW WINDSOR PLANNING BOARD (seeable to Applicant)

CLIENT TOWN OF NEW WINDSOR

TASK 99-19

TOLARY DONE PRIOR TO 12/31/1999

										-----DOLLARS-----			
TASK-NO	ECO	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE		
99-19	136768	01/03/99	TIME	MJE	WS ROSS RT 32	75.00	0.50	07.50					
99-19	136770	01/20/99	TIME	MJE	MC RT 32 AUTO TR & TC	75.00	0.40	30.00					
99-19	136771	01/20/99	TIME	MJE	WS ROSS S/P	75.00	0.40	30.00					
99-19	136772	01/16/99	TIME	MJE	WS ROSS S/P RT. 32	75.00	0.40	30.00					
99-19	136773	07/12/99	TIME	MJE	MC ROSS SITE PLAN	75.00	0.60	45.00					
99-19	136775	07/13/99	TIME	MOX	CL ROSS AUTO RT 32 TRC	28.00	0.50	14.00					
99-19	136776	07/13/99	TIME	MJE	MC ROSS SITE PLAN	75.00	0.10	7.50					
99-19	136780	07/14/99	TIME	MJE	MM ROSS DISAPP TO ZBA	75.00	0.10	7.50					
99-19	136782	09/04/99	TIME	MJE	MC RT 32 AUTO BROU ZBA	75.00	0.60	45.00					
									246.50				
99-19	136775	02/11/99			BILL 99-775					-74.00			
99-19	137453	09/16/99			BILL 99-865					-172.50			
										-246.50			
99-19	136794	10/21/99	TIME	MJE	MC TO/HARTI RE: ROSS	75.00	0.30	22.50					
99-19	136863	11/10/99	TIME	MJE	WS ROSS S/P	75.00	0.40	30.00					
99-19	136772	11/17/99	TIME	MOY	CL ROSS S/P TRC	28.00	0.50	14.00					
99-19	136803	11/17/99	TIME	MJE	MC ROSS SITE PLAN	75.00	0.70	52.50					
99-19	136892	11/17/99	TIME	MJE	MC ROSS S/P W/HARTI	75.00	0.30	22.50					
99-19	136899	12/05/99	TIME	MJE	MC TO/HARTI ROSS PK CALC	75.00	0.30	22.50					
99-19	136897	12/21/99	TIME	MJE	MC RT 32 AUTO SITE PLAN	75.00	0.30	22.50					
99-19	136897	12/21/99	TIME	MJE	MM RT32 AUTO CORR S/P A	75.00	0.10	7.50					
99-19	136770	12/20/99	TIME	MOX	CL RT 32 AUTO TRC	28.00	0.50	14.00					
99-19	136810	12/28/99	TIME	MJE	MC ROSS RT 32 W/MYRA	75.00	0.30	22.50					
									200.50				
99-19	136875	12/17/99			BILL 99-1193					-164.00			
										-164.00			
TASK TOTAL								477.00	0.00	-410.50	66.50		

GRAND TOTAL

477.00

0.00

-410.50

66.50

99-19 01/07/00 MJE ROSS PKG CALC w/CM

22.50

+ 22.50  
89.00



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## OFFICE OF THE PLANNING BOARD

January 24, 2000

New York State Dept. of Motor Vehicles  
1 Larkin Plaza  
Yonkers, NY 10701

ATTENTION: VEHICLE SAFETY UNIT

SUBJECT: RT. 32 AUTO BROKERS, INC.

Dear Sir:

This letter is written as verification that the following applicant has been granted Site Plan approval to operate "A Used Car Sales Facility" at the following location in the Town of New Windsor:

RT. 32 AUTO BROKERS, INC.  
RT. 32  
NEW WINDSOR, NY  
TAX MAP #35-1-45

If you have any further questions with regard to this approval, please contact our office.

Very truly yours,

Michael Babcock, Building & Zoning Inspector  
Town of New Windsor

MLB:mlm

cc: Building Dept. File #35-1-45



RESULTS OF P. MEETING OF: December 22, 1977

PROJECT: Rt 32 Auto Bypass

P.B.# 99-19

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y\_\_\_ N\_\_\_
2. TAKE LEAD AGENCY: Y\_\_\_ N\_\_\_

M) A S) N VOTE: A 5 N 0  
CARRIED: YES \_\_\_ NO ✓

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_  
CARRIED: YES \_\_\_ NO \_\_\_

WAIVE PUBLIC HEARING: M) A S) N VOTE: A 5 N 0 <sup>closed</sup> WAIVED: Y \_\_\_ N ✓

SCHEDULE P.H. Y\_\_\_ N\_\_\_

SEND TO O.C. PLANNING: Y\_\_\_

SEND TO DEPT. OF TRANSPORTATION: Y\_\_\_

REFER TO Z.B.A.: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_

RETURN TO WORK SHOP: YES \_\_\_ NO \_\_\_

APPROVAL:

M) N S) A VOTE: A 5 N 0 APPROVED: \_\_\_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ APPROVED CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: Y\_\_\_ N\_\_\_

DISCUSSION/APPROVAL CONDITIONS:

<u>low dumpster on plan</u>
<u>Correct parking calculations prior to stamping</u>
<u>No towing after 7:00</u>
<u>No towing on Sunday</u>
<u>add to plan</u>
<u>adjust light</u>

Find out hours of operation for 20th Cent.  
fax to Craig Marti



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA

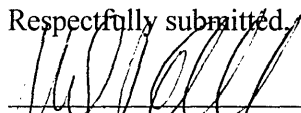
- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
e-mail: mheny@att.net
- ☐ **Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** ROUTE 32 AUTO BROKERS (ROSS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 99-19  
**DATE:** 22 DECEMBER 1999  
**DESCRIPTION:** THE APPLICATION PROPOSES CONVERSION OF THE SOUTHERLY BUILDING TO A USED AUTO SALES FACILITY. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 14 JULY 1999 AND 19 NOVEMBER 1999 PLANNING BOARD MEETINGS. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The Applicant's Engineer has made all requested corrections to the plan, with the exception of the following two (2) items:
  - a. Screening was to have been extended behind Building No. 1.
  - b. The parking calculation on the plan must be corrected.
2. At this time, I am aware of no additional outstanding items with regard to this application. Once the Board has the opportunity to receive comments from the public at this hearing, I will be pleased to review any additional items of concerns, as deemed necessary by the Planning Board.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

ROUTE32-2.mk

GEORGE ROSS SITE PLAN (99-19)

Craig Marti appeared before the board for this proposal.

MR. MARTI: I will be representing Mr. Ross, the Route 32 Auto Brokers.

MR. PETRO: Proposes conversion of the building to a used auto sales facility. Plan was previously reviewed at the 14 July, 1999 Planning Board meeting at which time the application was he referred to the ZBA for necessary variances. Was one of, tell me what the variances were?

MR. MARTI: The variances which we were referred to at the last Planning Board meeting discussion was area variance which required, the zoning requires 80,000 square foot lot, we have 62,282 square feet, so we require an area variance from the ZBA in conjunction with that, the existing conditions on the building, required side yard and building height variances as well. During the application procedure to the zoning board was also identified that the existing signs located on the existing businesses on the property were also a non-conformance in that the signs for the automotive had additional sign on the building and one of the signs was of an excess size as well as there were two freestanding signs whereas the zoning allows one. The variance the ZBA has indicated by the note which I have added. The ZBA has granted the area variance, the required variances associated with the building as well as the oversized and extra sign on the building which is located a significant distance from the roadway and they have made it a condition that one of the freestanding signs be eliminated. In consultation with our client, we have indicated tonight that the sign at this location will be combined to a single freestanding sign which will advertise both the proposed Route 32 Auto Brokers retail car sales as well as Barry's Automotive, so one of the conditions which I have discussed with Mr. Edsall was that a note be added to the final plan indicating that this is, this is a sign which will be relocated to the other sign location.

MR. PETRO: PI zone is in the rear, correct?

MR. MARTI: Yes, the back portion of the lot.

MR. PETRO: We're not changing anything at this time to do with the rear, just the front two buildings?

MR. MARTI: Right, actually just front one building is proposed to be changed from its a currently vacant deli, it's proposed to expand the current Route 32 Auto Brokerage business which is licensed to sell used autos and wholesale distribution method. It's proposed to expand that business to include and utilize the front building as an office space to provide used auto retail sales leasing and financing through and expansion of the Route 32 Auto Brokers business.

MR. PETRO: So you still wouldn't have retail sales in the back, just the front building?

MR. MARTI: Right, sales office would be in the back, back building would be used as a prep recovery area.

MR. PETRO: That's what it is now?

MR. MARTI: Yes, current use, yes, other two buildings Barry's Automatic and residential structures would remain unaffected by the proposed change. The latest plan which has been submitted has also been revised to address some parking issues raised at our initial Planing Board appearance pertaining to the dimensioning and the traffic pattern as well as some of the spaces which were basically blocked in and locked in in the area in the central area of the parking lot, some of the Planning Board members indicated a concern with that plan that has, it's been submitted, has been revised to address those concerns as well as those of the consulting engineer.

MR. PETRO: Mark, I see you that you calculated the parking spots and they exceed the necessary amount?

MR. EDSALL: Right, parking calculation needs to be corrected, but they obviously have ample parking.

MR. LANDER: Parking calculation is for the one building alone?

MR. MARTI: For the entire site and the revision that Mark is referring to has to do with the area in the definition of a bay, as they are utilized within the zoning, we had done, we count the bay doors, went with a somewhat literal interpretation of the zoning of the wording of the zoning law which isn't consistent with the, as I understand, the current practice. I have discussed that with Mark and there's no problem, basically, all it will be, bottom line will be a shuffling of the, re-designation of some of the storage spaces to become customer spaces rather than storage or display spaces.

MR. LANDER: So, let me understand this, you need for these three, four buildings here, you need 26 spaces?

MR. MARTI: 29, I believe, as Mark indicated.

MR. LANDER: All right, 29 spaces and you're providing 79?

MR. MARTI: We have a total of 76 so re-designating what was currently proposed as storage and display as customer parking.

MR. LANDER: I see 79 down here, all right, I was wondering, I said there has to be more than 29 spaces on this map.

MR. MARTI: Right, the map you're looking at has a slight change from the display. One has been added and there was a miscount on the display drawing.

MR. LANDER: So, this map is not the same as this one?

MR. MARTI: The map that you're looking at is different from this one in that there's one additional space and there was a recount of a space in this area that had been missed with the calculation of 76 here, 79 is the correct number.

MR. LANDER: Right, we had to remove, you were going to remove stockade fence on what would be the northeast side of this property?

MR. MARTI: Yes, as it's labeled here is that the stockade fence would be relocated as necessary in order to align the parking spaces to provide the 25 foot aisle width and proper aisle and section and excess, what the stockade fence was originally constructed based on previous site plan approvals by the board so it's our proposal at this time to relocate it as necessary as opposed to completely remove it. The vegetation along the back portion of the lot which or the lack of which I would assume necessitated the request for the fence has over the last period of years become thicker, it hasn't been thinned in any way. So a relocation of the fence in the area would be sufficient.

MR. LANDER: I think on Schaleff's, that's the area I'm talking about on Schaleff's side there was a stockade fence in there previously on this last approval, is that stockade fencing going to remain there?

MR. MARTI: That would be relocated slightly to the north. Oh, this one here will remain, the one on the easterly side will remain.

MR. LANDER: What fence, I see right off the corner of building three says remove fence, is that just the gate area?

MR. MARTI: Yeah, that's remains of an old fence which is primarily an old gate fence post which are remaining. They'll be removed to allow the access to the site.

MR. LANDER: Because, as you know, Schaleff's house is real close to this line and fence was put there so you'd have some screening.

MR. ARGENIO: Jim, has Bobby Rogers seen the plans?

MR. PETRO: We have fire approval on 11/17/99, highway approval 11/15/99.

MR. LANDER: We have white pines on the southerly, southeast end of this property, what pines are there? Are they going to be installed?

MR. MARTI: Those are existing trees as located by the surveyor, those were part of the previous site plan as it was previously approved. The only physical change is some cleaning up of the pavement. Mark has also in the workshop requested that we provide a note to indicate that they neglected that the new paved area will be top coated for sake of color consistency and striping in accordance with the plan. The top coating or the sealing has, as I understand it, I was informed that the sealing has been done, they are waiting on approval and they'll go in and stripe it accordingly.

MR. LANDER: Catch basin to be repaired or replaced?

MR. MARTI: That has, since the generation of the plan, been repaired. I, in response to one of Mark's previous comments, have done some investigation work, the surveyor had initially indicated that he couldn't tell where the pipes went. I did dump a barrel of water with dye and I found the dye coming out in the stream to the south of the property.

MR. PETRO: Ron, I notice on the plan that the name Lander appears to the south, is that your father's land or your land?

MR. LANDER: I'm involved in that property, Mr. Chairman, so I have no knowledge.

MR. PETRO: You have nothing to do with this application?

MR. LANDER: No, I have nothing to do with this application, no, but I have prior knowledge as George has been in many years in the past, I have knowledge of this property.

MR. PETRO: Seems to me that a lot of his concerns when we sent him to the ZBA, the ZBA really had an important role in what could be done and what couldn't be done

and being he's through the zoning board and he's been granted the necessary variances, I feel that most of our concerns other than obviously Planning Board concerns have been taken care of. I was always concerned with the use of the retail selling of the cars on the small lot; I know Mr. Ross has tried other things on that one location, seems like this might be a better one.

MR. LANDER: Might be the only thing that's viable, I have to say that because I have seen deli's, pizzerias, they have all been in there.

MR. PETRO: Photomats.

MR. LANDER: Most of them are done by the end of that first year, so be good to see something that will last.

MR. PETRO: Mark, you make a comment which is a good one, but there's really no way to enforce that and what I mean by that is the parking spots that you designated as storage or for customer or for display and I will tell you what's going to happen, is that once they get through the Planning Board and maybe the applicant once they leave, they are going to do whatever they want with those spots. And most of the, even the customer spots are going to become display spots. It's not just Mr. Ross' property, it could be Jim Smith's Chevrolet, it could be Northeastern, it could be Barbera, they are all the same. If there's an empty spot, there's a car for sale in it, period. There's no way to watch it or police it.

MR. MARTI: The only comment I would make would be that the spots have been designated, as requested previously by the board or its consultants as storage display customer parking, the applicant has been informed of the zoning requirements and the method and manners in which the requirements are calculated.

MR. PETRO: You're taking the words out of my mouth. You have demonstrated how the plan does work, if it's handled properly, so the reason I'm saying that once it leaves here, we really can't do anything, as far as our job is concerned so--



MR. EDSALL: The only reason I mention it--

MR. LUCAS: Amazing how they can turn six parking spots into twelve.

MR. PETRO: Look at the front of Jim Smith's Chevrolet, there's 12 cars when I came up there.

MR. EDSALL: The only reason I mention it, Mike and I have had this discussion in the past and we just wanted it to be clear there's a zoning ordinance and if there begins to have problems at all with customers having a place to park and we receive complaints about areas obstructed, fire department files notices that it's obstructed, cars parked on the highway, that this plan will be used as part of the enforcement action so they just should just use common sense and keep things moving.

MR. PETRO: I guess we hammered that out enough, just want to bring it to light.

MR. LANDER: Let me just say one thing here we have a residence that's on this plan, he has one parking spot, I've seen the cars parked right in front of his driveway there. I know it's not a spot there now, but you know the gentleman sits out underneath the tree and has his can of whatever and we try to keep the sales cars or the standards for display cars.

MR. MARTI: For display, they are, the first spot, the gravel driveway I've seen used as two cars there, it doesn't meet the size requirements for legal parking spots, so I have designated the first parking spot on the pavement as residential as well.

MR. LANDER: I'm just looking out for him only cause he's a resident there.

MR. PETRO: Mark, in note number 3, A, B, and C, we have already discussed which was the two signs, why don't you do A and B so we can make it a subject to.

MR. EDSALL: The plan, as it was submitted, shows the

handicapped space between buildings 2 and 3, they really can't be there because it's a non-paved area. So they had two choices, either pave that area or move it. So what Mr. Marti has suggested is that that parking space be moved over to the existing paved area and they become conventional spaces. So he's going to do that on the final plan and Mike and I have no problem with that. The second one is that there's a double row in the back between buildings 2 and 3 and there's really no way that anyone can tell that that's a parking row because it's a gravel parking lot. So we suggested that they put wheel stops just so that they'll have a way of identifying where the spaces begin and end, that would be the only place that they would need to do that, but the rest of the plan they have worked everything out.

MR. ARGENIO: Is the owner actually going to stripe the gravel in the back?

MR. MARTI: No, the graveled area would remain unstriped, as Mark has suggested, because of the row of cars where cars would be facing each other with there being no way to delineate that, other than the wheel stops. We discussed at the work session that the best way of delineating the actual spaces was with the wheel stops, this is the area where we had discussed the wheel stops.

MR. EDSALL: All the rest of them in the back are all storage spaces, so we didn't think that that was a necessity, cause they are going to fit them as they fit them.

MR. PETRO: They are going to work until the first snow then they'll all be back on the railroad tracks.

MR. LANDER: The dumpster area for building 1, that's going to be changed from where it is now cause now it's where the handicapped parking spaces are?

MR. MARTI: Yes, that would be moved closer if it remains there at all with the use of the building as office space. The necessity of the dumpster itself would obviously be less than as an independent business

or as a deli. The spaces shown on the site plan such that they do determine that they need a small dumpster in the area with regards to the building, there's a spot on the site plan where it has been reviewed and would be approved at that point.

MR. LANDER: Now, the dumpster would have to be enclosed, the area, because it's out in front, you can see it from 32. I'm not concerned with the dumpsters that are way in the back of this property, like behind building 2, you can't really see that, but the one out in the front, if you're going to have a dumpster there, it has to be enclosed because we don't want to be looking at a dumpster on 2.

MR. ROSS: There's an enclosure that it can fit into.

MR. MARTI: The area of where the current enclosure is moved over where one of the spots are shown as a parking space, so it would be a matter of installing a fence type of visual barrier. The area in which it would be visible would be as you head south on Route 32 there would be an area between the residential structure and the proposed auto building whereby you could for a distance of maybe 75 feet or so, it would actually have a few around by the corner of the building and see the dumpster there, past the display cars if you wanted to take a look at the area where it would be visible, I can't deny that there would be a possible glimpse of it. If it's the desire of the board, I'm sure we can do that.

MR. PETRO: Let me speak. It's the desire of the board we need a dumpster enclosure installed next to the building number 1.

MR. LUCAS: Just office.

MR. PETRO: That's very visible there though, it's right on the highway.

MR. LUCAS: But I'm saying what about garbage pails, how much are you going to generate?

MR. BABCOCK: Plus they own the business in the back,

if they had any bulk.

MR. PETRO: If you want to remove the dumpster and just use garbage pails.

MR. ROSS: No, no, that dumpster they required, it was built there.

MR. BABCOCK: It was required because it was a restaurant but now you have an office that you're going to have paper.

MR. ROSS: I can put all the garbage in that.

MR. PETRO: You need the dumpster enclosure, you have to show it on the plan and also need a dumpster detail somewhere on the plan or page number 2 on the plan, somewhere on the plan put a dumpster detail.

MR. ROSS: This is the gentleman, Frank Petrelli, who's actually renting, it would be more involved and you're using the back building to generate--

MR. PETRELLI: I'll bring it up to the back and dump it.

MR. PETRO: Take the dumpster off the plan.

MR. LANDER: Are you going to remove the existing dumpster enclosure that's there now?

MR. ROSS: If you want it removed.

MR. LANDER: I didn't say that, are you going to remove it?

MR. ROSS: I know what you're saying.

MR. PETRO: Since it's in one of your parking spots there.

MR. LANDER: I think that it would interfere with the handicapped, but I'm not saying it because it's not on the plan here, so I really can't see exactly where it is, but I know it's right in front of these handicapped

spots, also handicapped parking, that sign has to be between five and six feet off the ground.

MR. MARTI: Yes, handicapped parking spaces would have to be marked and signed in accordance with ADA requirements.

MR. LANDER: Last ones you put up are three feet high, I went over and measured it.

MR. BABCOCK: Yeah, on the sign detail, Ron, underneath they've got it must be seven foot above grade.

MR. LANDER: Well, as long as George knows they have to be between five and seven, so I don't have, you've got to be able to see it over a car.

MR. PETRO: Back to the dumpster, you're now removing the dumpster from the property taking the enclosure down, taking the dumpster off the property and just use garbage pails.

MR. PETRELLI: We're going to use the dumpster in the back.

MR. MARTI: This back building and the front building will be used by the same business.

MR. PETRO: But you still have dumpster written on the plan.

MR. MARTI: That will be taken off as a condition.

MR. PETRO: So, detail has to be removed, the dumpster detail removed.

MR. LANDER: I think we're going to have, you know, these white pines, I don't, I go up that road every day and I don't remember seeing these trees. If you say they're there, they're there, we're going to have to continue some kind of screening stockade fence here that goes across this tree line, as you have it on here, but then there's nothing passed that or there's nothing behind this building. We have an oil tank that's in the back, I think that should be screened all

the way down to the state right-of-way. And I think that was on the previous plan, previous approval for the rest of this, not concerning this one, but I think we should have some screening behind here. So if in case we don't have to see that, the back of that building right here and the stockade fence, then there's nothing up through here, we're going to need some screening at least behind this building here because we cut all these.

MR. ROSS: They're growing.

MR. LANDER: They're there, they must be real thin by now, because I look through there and I, they don't provide much screening at all, I don't think white pines do anyway, but we're going to need some behind this building here.

MR. ROSS: No problem, I don't know why but--

MR. LANDER: If you want to put white pines that's fine, but they don't provide screening, hemlock would do more of screening than that. That oil tank still in use?

MR. ROSS: Yes.

MR. LANDER: They had propane there that was for the cooking, I believe.

MR. ROSS: Yes.

MR. LANDER: Is that still there, going to be removed?

MR. ROSS: Obviously, we don't need propane anymore.

MR. LANDER: Remove those propane tanks, if they're not in use.

MR. ROSS: I can put a four foot fence around the oil tank.

MR. LANDER: I think you can put some screening.

MR. ROSS: The other line almost comes right to the

street, the building line here where the oil tank almost goes right here, I only need one.

MR. LANDER: I think because this part of the building three quarters of the building always gets the most care, the back of the building takes the weather beating and, you know, never gets painted.

MR. ROSS: Now that it's not, you know, I think everything is lined up, I have to give a decent impression.

MR. LANDER: Because you do see this side of the building too.

MR. ROSS: I want the whole thing to be harmonious.

MR. PETRO: You never put a flag up, did you?

MR. ROSS: Not that I'm aware of.

MR. LUCAS: It would be nice to have one.

MR. PETRO: I was curious.

MR. ROSS: I wouldn't mind one of the very huge ones.

MR. LUCAS: Just a suggestion.

MR. KRIEGER: Put a flag on it.

MR. PETRO: I want to move this along. Ron, do you have anything else?

MR. LANDER: Yes, I do, the sign post on the right-hand side of this plan, do we have a note on here that it's going to be removed?

MR. MARTI: We discussed that with Mark, I pointed out to Mark at the workshop when this plan was, it's going to be combined at this location, that one of the variances that we requested and did not receive and at the time of submittal, it was unclear which sign post would be utilized for the combined sign.

MR. LANDER: Only one.

MR. MARTI: Only one freestanding sign.

MR. LANDER: I'm clear on that issue. Concrete curb, I see here by the poplar trees there.

MR. MARTI: It's existing curb, it's of little significance, other than delineated the paved surface from the area around the tree.

MR. LANDER: Also have on here whether or not we need a public hearing.

MR. PETRO: We need a motion for lead agency.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Route 32 Auto Brokers site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Now we can speak about the public hearing. Didn't we have a public hearing? I'm sure we did at the zoning board. Mr. Krieger?

MR. KRIEGER: Yes.

MR. PETRO: Do you have recall how many people showed up?

MR. KRIEGER: I don't recall anybody showing up, any outstanding concerns.



MR. BABCOCK: There was some people showed up that were on Willow, they thought that the site was where Two C's Restaurant was, they didn't realize.

MR. KRIEGER: They didn't voice any objection, just had questions.

MR. BABCOCK: Very confused.

MR. KRIEGER: Anybody who voiced any objections, they--

MR. LANDER: I think a lot of people too, Mr. Chairman, they see zoning and they really don't know exactly what, they know what zoning means, they are not that ignorant to that fact, but when it comes to planning, then I think you might see some heads pop up, I think when they see zoning, maybe he's going to be for a sign.

MR. KRIEGER: Frankly, the notice that's sent out for the zoning public hearing is not terribly descriptive so that very often, people will appear at a hearing not simply not knowing what's going on, just to find out.

MR. LANDER: I received, to go on record, I did receive a letter stating that Mr. Ross was coming in for that, for zoning board, and tell you the truth, I forgot all about it. And so I didn't make the meeting. But I think people around there being that this thing is going to be more cars yet, I think they might want to take a look at it. I know Schaleff, maybe George might want to take a look, who knows, can't speak for him.

MR. LUCAS: Well, when are we going to have the next meeting?

MR. PETRO: Not in the December meeting, we only have one meeting in December, maybe the second meeting in December.

MS. MASON: But we can't give him a date here.

MR. LUCAS: With all the cars, it's going to make a difference on, how many people will it impact one, two, three across the street, couple more, yeah, I think so.

MR. ARGENIO: I'm on the fence, Mr. Chairman, I kind of have to defer to my contemporary, Mr. Lander, in that he has much more knowledge and better knowledge than I do of that specific area of our town.

MR. PETRO: I'm going to lean towards the public hearing also, Mr. Ross, I'm sorry.

MR. MARTI: Mr. Chairman, I have spoken to my client and based on the proximity to Mr. Lander's property to the subject parcel, we would like to request that the board consider or Mr. Lander consider removing him or excusing himself from this issue and ask that these comments, if he so chooses, be stricken from the record.

MR. PETRO: Okay, either way--

MR. ROSS: I would like to just say that the time I'd like to work with you in designing something between the two, rather than saying maybe we can do something more attractive with that stream, you know.

MR. LUCAS: I don't have any objection to what you're doing, I think it's a good idea, I think it will clean up the whole, I think it's a, because nothing ever worked in that one building right there.

MR. PETRO: I don't believe anybody on the board has an objection to start with, including Mr. Lander, but we'll we have to follow procedure, let me finish what I'm going to say, Mr. Lander wants to excuse himself, that's fine. We have almost six or seven subject-to's, no matter what if we're going to approve this right now, I have six subject-to's that need to be changed on the plan or that you have to comply with before the plan could be stamped, which is a lot. I'm going to read them off, so you'll give me a chance, I have them written down right there and I'm usually right at what I do. So, being we have these, I'm going to schedule, we're going to vote schedule the public hearing, you have to come back to a, to another meeting that will give you ample time to correct them and you'll be on your way. Once you have your public hearing, you're

good forever, you're better off at the public hearing, believe me when I tell you.

MR. ROSS: The only problem I'm speaking for Mr. Petrelli here, it's been almost a year and he's been financially suffering, I am indirectly giving him abatement on part of the rent in that period of time.

MR. PETRO: Is he operating out of the back of the property?

MR. ROSS: Yeah, but I can't really without the retail in the front, he can't, he just had a child yesterday, just can't make the money.

MR. PETRO: I understand and I understand what it is to be in business, believe me, I know a day costs me every single day, but that doesn't necessitate us to move along quicker. You could have started a month earlier and you would have been through the process. I don't know what else to tell you, I'm not trying to be a wise guy, but you have these corrections to the plan that have to be done, number one, and I believe that we need a public hearing, you're going to have a car lot on Route 32, it's necessary to have a public hearing.

MR. LUCAS: I will be honest, I'm not crazy about public hearings because not a lot of people show up, but I will say we've had them, the two up the street here on 207, we have public hearings on them, I mean, because of the congestion and the cars and I don't think it's going to hold you up that much, everybody on this board is in favor of the project.

MR. PETRO: Regardless of the public hearing, Mr. Ross, you're going to need to come back to do these items, we need you at the next meeting.

MR. ROSS: When is the next meeting?

MR. PETRO: In December, and so you have to take care of these anyway, you have the public hearing, first of all, keep in mind when somebody shows up, they are not going to come in and say we don't want that, they could come in, raise a drainage issue that we're unaware of,

we didn't even talk about drainage, maybe somebody can say I live across the street, what's going to happen. We tell them about it, they go home and feel like they are informed.

MR. ROSS: I think you know with Mr. Schaleff it's just been problems.

MR. PETRO: I built next door to George, so I know him as well as you do, he's going to show up, he may have a concern, we'll take it under consideration. If it's not legitimate, he goes home and you start selling cars, whenever you get everything on the plan taken care of.

MR. LUCAS: I don't see anything on the plan.

MR. PETRO: We're not going to be bullied if somebody says we just don't want anything there, one way or the other. With that, I'll entertain a motion to schedule a public hearing for the Route 32 Auto Brokers.

MR. LUCAS: I'll make the motion.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board schedule a public hearing for the Route 32 Auto Brokers site plan on Route 32. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	ABSTAIN
MR. LUCAS	AYE
MR. PETRO	AYE

MR. LANDER: Mr. Chairman, in regards to my striking whatever I said tonight, no way, I sit here as a board member, I happen to be right next door to this property, I've seen things in the past that were on this plan, not this plan, but on previous plans that were never done. So let me tell you that I will still sit here and review this plan.

MR. PETRO: I agree with you 100 percent, you're just a neighbor like anybody else. I don't think you said anything that would be harmful for this application in any way.

MR. LANDER: Anything that I did say is the truth and can be proven. So, the sign, I asked you about the sign, the signs were three foot high, George, and the screening, screening was never done up the back of this property the last time you were in so--

MR. ROSS: Which screening is that?

MR. LANDER: It was supposed to go, if you look at your previous approval, it was supposed to go from the back of this building, screen it all the way to the back, the back property line, it was never done.

MR. ROSS: There are trees that have been planted right where it was according to the plan.

MR. PETRO: George, why don't you take a picture and bring it to the public hearing.

MR. ROSS: I'd rather stop by and walk it with you, Ron, and come up with something, I want it looking top notch now.

MR. PETRO: Before I lose my train of thought, let me finish this up so we can go on to something else because you're really moving along a lot, I don't see any problem other than getting it taken care of, we can't do the SEQRA process until we have the public hearing so that's done. Does anybody else have any other issue that we want to clarify tonight so we can get it on the plan for the next meeting? If not, these are a list of what you need to do. You have to change handicapped spots to the north side, picked one out with Mr. Edsall, wheel stops should be indicated on the plan for the parking up on the shale area, the dumpster detail will be removed from the plan and that's the one next to building number one, the screening shall be continued if it's not already there behind building number one, and note on the plan saying that the sign

posts on the north side of the curb cut will be removed and combined to the sign post on the south side of the property. Mr. Edsall, did I leave anything out?

MR. EDSALL: Not that I'm aware.

MR. PETRO: You'll be scheduled, contact Myra for the next meeting, you'll be on the next available meeting. When you're ready, I'll put you on the agenda, you'll not be held up, but you have to do what you have to do, just those comments they are simple comments and I don't see any problem for the next meeting.

MR. MARTI: No, they are numerous, but not very significant.

MR. PETRO: That's correct, good luck.



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
e-mail: mheny@att.net
- ☐ **Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**REVIEW NAME:** ROUTE 32 AUTO BROKERS (ROSS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 99-19  
**DATE:** 19 NOVEMBER 1999  
**DESCRIPTION:** THE APPLICATION PROPOSES CONVERSION OF THE SOUTHERLY BUILDING TO A USED AUTO SALES FACILITY. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 14 JULY 1999 PLANNING BOARD MEETING, AT WHICH TIME THE APPLICATION WAS REFERRED TO THE ZONING BOARD OF APPEALS FOR NECESSARY VARIANCES.

1. It is my understanding that the Applicant has received all the necessary variances. Verification of same should be in the Planning Board files.
2. The overall site provides numerous parking spaces for various uses on the site. The parking spaces have generally been designated as three (3) different types; customer/residence, display and storage. We have required that the customer plus residential spaces provided equal or exceed the calculated amount based on the Zoning Code.

First, the plan had not included a parking requirement's calculation. This plan has one, but it would appear to require some correction. Based on my review, it would appear that a minimum of twenty-nine (29) spaces are required, not twenty-six (26).

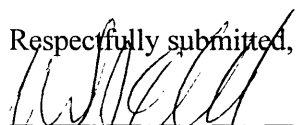
Based on the above, it would appear that some of the display or storage spaces must be changed to customer. In addition to discussing this issue, the Board should review, with the Applicant, the concept of the various spaces and how the Applicant will guarantee that customer spaces are not used for storage or display and will remain available for customer use in compliance with the Zoning Code.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** ROUTE 32 AUTO BROKERS (ROSS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 99-19  
**DATE:** 19 NOVEMBER 1999

3. In addition to the correction of the parking issue, some other minor items must be addressed, as follows:
  - a. The handicapped parking space between buildings 2 and 3 must be paved, or same must be relocated to an acceptable paved area of the site.
  - b. I suggest that the double row of parking to the northwest (between buildings 2 and 3) include wheel stops to delineate the parking, since this is a non-paved area.
  - c. The site plan concludes two (2) signs on the site. This must be revised to a single sign.
4. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
5. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
6. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
7. If the Board is so inclined, I believe this plan could be considered for conditional site plan approval.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

ROUTE32.mk



RESULTS OF PREVIOUS MEETING OF: January 12, 2000

PROJECT: George Ross

P.B.# 99-19

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

P-B - APPROVED HE CAN REPAIR  
HE ~~HIS~~ CAR'S THAT ~~REPAIRS~~ ARE TO  
BE SOLD ON THE LOT

ROUTE 32 AUTO BROKERS INC.  
270 WINDSOR HWY  
NEW WINDSOR NY 12553

MR. MICHAEL BABCOCK  
BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
NEW WINDSOR, N.Y.

DEAR MR. BABCOCK,

AS per our conversation, WE WOULD  
APPRECIATE FROM YOU A LETTER ADDRESSED  
TO THE DEPARTMENT OF MOTOR VEHICLES CONFIRMING  
THE FACT THAT THE TOWN PERMITS US TO  
OPERATE A USED CAR SALES OPERATION AT  
268-270 WINDSOR HIGHWAY, NEW WINDSOR,  
N.Y.

Thank you for your cooperation,  
George Ross

## Public Hearing

97-19

Steve Chaliff:  
RT 32

Spec regarding parking required on site  
hours of operation and days of operations  
lighting too bright.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/22/1999

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 99-19

NAME: RTE 32 AUTO BROKERS

APPLICANT: ROSS, GEORGE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	11/15/1999	MUNICIPAL HIGHWAY	11/15/1999	APPROVED
REV1	11/15/1999	MUNICIPAL WATER	11/16/1999	APPROVED
REV1	11/15/1999	MUNICIPAL SEWER	/ /	
REV1	11/15/1999	MUNICIPAL FIRE	11/17/1999	APPROVED
REV1	11/15/1999	NYS DOT	/ /	
ORIG	07/07/1999	MUNICIPAL HIGHWAY	07/08/1999	APPROVED
ORIG	07/07/1999	MUNICIPAL WATER	07/08/1999	APPROVED
ORIG	07/07/1999	MUNICIPAL SEWER . NO SEWER DETAIL	08/06/1999	DISAPPROVED
ORIG	07/07/1999	MUNICIPAL FIRE	07/08/1999	APPROVED

-----X  
In the Matter of Application for Site Plan/Subdivision of  
Rt 32 Auto Bookers

AFFIDAVIT OF  
SERVICE  
BY MAIL

MYRA L. MASON, being duly sworn, deposes and says:

On 12/10/99, I compared the 9 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra Mason  
Myra L. Mason, Secretary for  
the Planning Board

11<sup>th</sup> day of December, 1979

Seborah Green  
Notary Public

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4984065  
Commission Expires July 15, 2001

AFFIMAIL.PLB - DISC#1 P.3.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (914) 563-4631  
Fax: (914) 563-4693

## Assessors Office

November 24, 1999

Rt. 32 Auto Brokers/Ross  
Windsor Highway  
New Windsor, NY 12553

RE: 35-1-45

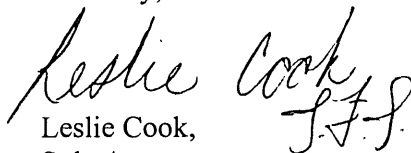
Dear Mr. Craig Marti:

According to our records, the attached list of property owners are abutting to the above referenced property.

The charge for this service is \$25.00.

Please remit the balance to the Town Clerk's office.

Sincerely,

  
Leslie Cook,  
Sole Assessor

/jff  
Attachments

CC: Myra Mason, PB

Chaleff George S. & Tracy Allison  
266 Windsor Highway  
New Windsor, NY 12553

Lander Ronald F. & Phylis E. Silver  
12 Cimorelli Drive  
New Windsor, NY 12553

SAC-TAC Inn Inc.  
P.O. Box 4139  
New Windsor, NY 12553

Martinisi Sabatino & Jennie  
273 Windsor Highway  
New Windsor, NY 12553

George J. Meyers, Supervisor  
Town of New Windsor  
555 Union Ave  
New Windsor, NY 12553

Dorothy H. Hansen, Town Clerk  
Town of New Windsor  
555 Union Ave  
New Windsor, NY 12553

Andrew Krieger, Esq.  
219 Quassaick Ave  
New Windsor, NY 12553

James R. Petro, Chairman  
Planning Board  
555 Union Ave  
New Windsor, NY 12553

Mark J. Edsall, P.E.  
McGoey and Hauser  
Consulting Engineers, P.C.  
45 Quassaick Ave  
New Windsor, NY 12553

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on DECEMBER 22, 1999 at 7:30 P.M. on the approval of the

proposed SITE PLAN ~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXX~~ OF ROUTE 32 AUTO BROKERS/GEORGE ROSS (S 35, B 1, L 45)

located ON ROUTE 32 APPROXIMATELY 200' SOUTH OF WILLOW LANE

Map of the ~~Subdivision of XXXXX~~ Site Plan is on file and may

be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: Nov. 10, 1999

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman



TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

REQUEST FOR NOTIFICATION LIST

DATE: 11-18-99



1763

NAME: Rt. 32 Auto Brokers / Ross TELE: ( ) 565-4447 CRAIG MARTI

ADDRESS: Windsor Hwy  
New Windsor, N.Y.

Please call  
CRAIG MARTI AT 565-4447  
When list is ready

TAX MAP NUMBER: SEC. 35, BLOCK 1, LOT 45  
SEC. , BLOCK , LOT  
SEC. , BLOCK , LOT

PUBLIC HEARING DATE (IF KNOWN):

THIS PUBLIC HEARING IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD:

SITE PLAN & SUBDIVISIONS:

(LIST WILL CONSIST OF ABUTTING  
PROPERTY OWNERS AND ACROSS ANY STREET)

YES

SPECIAL PERMIT ONLY:

(LIST WILL CONSIST OF ALL PROPERTY  
OWNERS WITHIN 500 FEET)

YES

AGRICULTURAL DISTRICT:

(LIST WILL CONSIST OF ALL PROPERTY OWNERS  
WITHIN THE AG DIST. WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT)

YES

NEW WINDSOR ZONING BOARD:

(LIST WILL CONSIST OF ALL PROPERTY  
OWNERS WITHIN 500 FEET)

YES

AMOUNT OF DEPOSIT \$ TOTAL CHARGE \$

PUBLIC HEARINGS:

ROSS, GEORGE

MR. NUGENT: Request for 15,718 sq. ft. lot area, 9.1 ft. maximum building height, plus facade sign; one additional 6 ft. height, 10 ft. width variance; freestanding sign; one additional 3 ft. height and 4 ft. 6 in. width variance for proposed used car/leasing office at 268 Windsor Highway (former Barry's Autotive) in a C/PI zone.

Mr. Craig Marti appeared before the board for this proposal.

MS. BARNHART: For the record on October 27, 1999, I sent out 26 notices to adjacent property owners.

MR. MARTI: We got one back. For the record, my name is Craig Marti with the engineering firm of Valdina-Marti Engineering and Surveying. I'm here tonight representing the Route 32 Auto Brokers and George Ross, owners of the property. Mr. Ross is here tonight, if the board should have any questions pertaining to the specific business which he may be more qualified to answer than myself. I'm also here tonight for Mr. Frank Petrelli, who is the manager of Route 32 Auto Brokers which currently has a wholesale auto business on the property. The existing property consists of four buildings, building 1, which is currently vacant and the most recent use was as a deli, past use, as I understand, does include even car sales from the front office building. The blue building on the plan here, sheet which is represented as building number 2, is currently Gene's Automotive which is an auto repair facility. Building number 3 is currently occupied by Route 32 Auto Brokers who run a wholesale auto business from that facility and the fourth building is a small residential structure which is currently occupied as a residential use. The proposed changes to the site plan are to renovate the existing and former deli into office space to be utilized for retail used car sales, leasing and financing from the front building as an expansion of the Route 32 Auto Brokers business. The remaining buildings on site will

maintain their existing use, including the residential structure, although Mr. Ross feels that the property may be under utilized with a small residential structure, he has a soft spot for the elderly residents and has decided to let them stay there until they wish to seek other arrangements. In proposing used auto sales at the retail level, the zone in which the site is located primarily within the C zone allows the use for retail car sales, however, it requires 80,000 square foot lot area. The current lot as it exists today is 64,282 square feet, so, therefore, we're requesting an area variance such that we can return the property to a use which is used wholesale car sales which is consistent with the past use within the last decade. There's been used auto sales from these facilities, however, with the changing of businesses and the changing of ownership of the businesses, we're required to be back for planning board approval and thus now we have to seek variances to comply with the current zoning. Also, in preparation of the site plan, it became apparent that the building height as it exists today as a function of its setback from the side yard is in excess of the allowable building heights in relation to the zoning quote, we're therefore asking that the variance be given to allow us to utilize the existing structure with no increase in building height, just a matter of the renovation of the interior space and some changing of the exterior for aesthetic purposes. The other area which became apparent where we were in non-conformance with the zoning was the signing condition, the current signs for the facility consist of a freestanding sign for Barry's Automotive, which is located in this location, I don't believe it's marked up on the prints that I gave the board, it's basically between the entryway and the residential structure. There's a sign, a building mounted sign on building 3 which is Route 32 Auto Brokers sign. There are two signs located on the Gene's Automotive or Barry's Automotive building, one of which is on this side which is in size conformance with the zoning. Second sign which is beyond the limits of the zoning which allows one building mounted sign, the second sign is also larger than is permitted by the zoning. The current sign is 3 by 20 foot sign, the maximum permitted is 2.5 by 10 foot sign. Again, this is an

existing sign which we're bringing to the board's attention and asking for the variance, appropriate variances to bring it within compliance of the zoning. The remaining sign, which is existing is the old sign for the deli which is another freestanding sign located at this location. Again, with the advent of two freestanding signs, we're in violation current zoning allows for one freestanding sign per property, the existing signs therefore require a variance for the second freestanding sign. The plan is to change the facing, not the location of the sign, but regards to the deli, we'll change it into an automotive to advertise the automotive sales for that building. We feel that the proposal as it's presented will have no impact, no negative impact on the community, we feel that the mixed use of the parcel is consistent with the properties located to the north and to the south along Route 32, whereby both properties consist of multiple commercial uses which are, one of which is a construction business, as well as some office space on the property to the south, the property to the north has an auto repair shop, a residential facility as well as a hair salon or business of that nature in this area, across the street, across Route 32 it's currently vacant commercial space and to the northeast of the property is some vacant commercial buildings which you know we feel will not be negatively impacted by the proposed use. With regards to the area variance we're requesting we feel that the requested variance and the use of the relatively small parcel for automotive sales is consistent with other automotive sales facilities located both within the C zone as well as in other zones throughout the town and we therefore feel that this is an appropriate use of the facility, considering the fact that the historical use has consistently throughout the last ten years or more consisted or contained an automotive sales facility, as well as the mixed use being by no means unique to this particular parcel. In closing, I'd like to indicate that Mr. Ross feels this is the most appropriate use of this land to recognize an appropriate return on his investment on the property, in having a couple businesses which are located in the front building that were not automotive-related fail in the last few years, he feels this is his best chance for success for this property.

If anyone has any questions?

MR. NUGENT: Address the board first, then we'll open it up to the audience. Is it absolutely necessary that we have two freestanding signs?

MR. MARTI: Actually not, I have--

MR. NUGENT: Would one be incorporated in the other?

MR. MARTI: Yes, I have discussed that with my client and we, yeah, that's the easiest of all of the conditions which are not in compliance to bring into compliance would be the combination of the two signs, the area utilized by the two signs is within the zoning. The second freestanding nature is the only thing which is in violation. I have discussed that with him and that obviously if that is a condition on the approval we'd be glad to comply with that.

MR. NUGENT: The other one that is on the building which is Barry's signs?

MR. MARTI: Yes, that is, that is on building 2.

MR. NUGENT: I don't have a problem because its way back off the road.

MR. MARTI: It's about 170 feet from the roadway.

MR. NUGENT: You'll never see it if it's a small sign.

MR. TORLEY: I see parking spots, I assume S is store, C is customer and D is display, what's R?

MR. MARTI: R would be the two residential spots that are required for the wood frame residence, one of which is in the driveway, the driveway currently is actually used to park but could actually be used to park two cars. I'm not sure that I could within the bounds of the definition of a legal parking space call it room for two, so I have designated one other area to comply with the zoning.

MR. TORLEY: And you're not, what are you doing about

increasing the paved area?

MR. MARTI: The proposed pavement changes are merely a straightening of the edge along this around the residential portion here and a cleaning up of the paved surfaces as they pertain to the existing parking area.

MR. TORLEY: So, you're not materially increasing the paved area?

MR. MARTI: We're not materially increasing the parking area. The area to the southwest corner where the storage behind Barry's Automotive is currently gravel surface and I would request for the sake of limiting runoff and water quality aspects of the drainage considerations, I would request of the board that that remain gravel. However, I'm open to discussion on that, that obviously, would not be something fighting over from a business perspective.

MR. KANE: No current water problems, any type of flooding?

MR. MARTI: Not that I am aware of. There's a catch basin labeled on the plan to be repaired or replaced. Since the generation of this plan, that catch basin has actually been repaired and I have dye tested it and found the outlet of the pipe in the drainageway between this parcel and the Lander's piece to the south that wasn't visible when the survey was done, but I have since found the outlet pipe.

MR. KANE: For the record, the building height variances you're seeking, there's not going to be any structural changes on the outside? You're seeking to remedy an existing condition?

MR. MARTI: We're seeking basically the variance is to bring the existing condition into compliance, yes, there's no structural changes proposed.

MR. NUGENT: Is that going to have a sign, too, is that where the facade sign is or facade--

MR. MARTI: Facade sign deals with building 2. There

would be, under the existing zoning, one permitted facade sign for the front building. I'm not sure if that has, I haven't discussed as far as the particulars with regard to that, however, the area of that sign would have to be monitored such that any construction of additional signage keeps the total within the zoning, we're not asking for any variance on the total sign area.

MR. TORLEY: Freestanding post sign is right next to the building anyway.

MR. MARTI: So, whether or not one would be needed on the building itself that would depend upon how the other two signs were combined and where they ultimately were located as to whether we felt another sign would be located on the building.

MR. TORLEY: Are you changing egresses from the road?

MR. MARTI: No, none are currently proposed for that, any changes of that nature would require both planning board approval and the approval from the New York State DOT for additional curb cut.

MR. NUGENT: Larry, further questions?

MR. TORLEY: No.

MR. NUGENT: At this time, I'd like to open it up to the audience, anybody would like to speak on the subject?

MR. JOHN GUERRIERO: My name is John Guerriero, I've lived in the area for 40 years and this year, we have had three major accidents over there. The people end up in Westchester Medical Center. That's all I have to say.

MR. NUGENT: Anyone else?

MR. SANTO EMMANUELE: My name is Santo Emmanuele. This is on the west side right next to the recreation place?

MR. MARTI: This property is located on the west side

of Route 32, south of Willow, of the intersection with Willow Lane, north of Lander's Paving and south of Creative Image, of the hair salon. It's the other side of Willow Lane.

MR. EMMANUELE: That's it. There's two more members here.

MS. JASMINE PEREZ: Jasmine Perez, I'm 3 Willow Lane. Now, is that going to interfere with my property, in other words, are you saying that property across the street, is that the same property you're talking about?

MR. MARTI: Actually--

MS. PEREZ: I don't really know where it's at.

MR. MARTI: Looking at the drawing, Willow Lane would be located up here, approximately, where the pointer is located, intersects at right angles, if you come off the end of Willow Lane and turn left, the property we're talking about is the abandoned deli on the right-hand side, it's been a deli couple times and prior to that, I understand there were car sales.

MR. EMMANUELE: That's where the fella is working on cars now right way in the back?

MR. MARTI: Yes, that's the wholesale business which is auto preparation business which is located in the back, yes.

MR. JEFFREY PEREZ: Jeffrey Perez. So it's not the one on the corner?

MR. SCOTT ROLLO: Scott Rollo, 287 Windsor Highway. And my concern is the drainage for that property is on the west side of the highway just south of Lander's place, right?

MR. MARTI: North of Lander's.

MR. ROLLO: The property is north of Lander's, but the drainage for that runs down along next to the Flag Shop between the property and the Flag Shop.



MR. MARTI: No, the drainage from this property, there's a small amount of this area which drains over the grassed area out towards Route 32, the majority of the property drains across the parking lot to a swale which runs between this property and along the north property boundary of the Lander's parcel and there's a culvert under Route 32 at that location, so discharges into a state drainage system.

MR. ROLLO: That's--

MR. ROSS: The Flag Shop is on the other side of the road.

MR. ROLLO: Right, it's on the east side.

MR. ROSS: This is on the west side.

MR. ROLLO: And the culvert goes under the highway between the Flag Shop and my property, right?

MR. MARTI: If your property is located across the, basically across the road and slightly to the south of this parcel, then it is in that general vicinity, yes.

MR. ROLLO: That's right, and it goes underneath there and my only concern we have had some drainage problems in the past, and I just wondered how much additional water usage you would have because at one time, behind the Italian restaurant up the street, Frank and Ernie's, or something, I don't know what it is up there up by the U-Haul, they had a car wash and we had a problem with the drainage not being able to drain the runoff from there.

MR. MARTI: Well, with regard to the drainage, with regards to this particular site, there's very little increase of impervious area, just be a straightening of the pavement edge. The increased rates of runoff would be impacted if we were to significantly expand the impervious area, the site plan approval process requires the review by the town consulting engineer at the planning board process and if he feels it's warranted, it can also be referred to the DOT since we

do discharge into their existing drainage system. Since there's a minimal increase in the impervious surface, I personally feel that there would be a negligible impact on the existing drainage systems as they currently exist.

MR. ROLLO: No problem. I just want it to be noted that it was brought up so if there's a problem in the future that it was addressed at this time.

MR. MARTI: Understood.

MR. NUGENT: Are there any further questions by the audience? At this time, I'll close the public hearing and open it back up to the board for further discussion.

MR. REIS: Accept a motion?

MR. NUGENT: Yes.

MR. REIS: I make a motion that we grant Mr. Ross his requested variances for the site.

MR. KANE: Second the motion.

MR. BABCOCK: Mr. Chairman, can I just clarify something? There was some discussion about the freestanding sign being one and did we clarify that? Is he getting the variances that he's seeking?

MR. NUGENT: One freestanding sign, he said that wasn't a problem.

MR. TORLEY: We're granting, moving to grant the variances for one.

MR. REIS: With the exception of the one freestanding sign.

MR. BABCOCK: Sorry to interrupt, just wanted to make sure.

MR. KANE: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. KANE	AYE
MR. REIS	AYE
MR. NUGENT	AYE

MR. ROSS: The two signs have been there for approximately 20 years since I have owned the property, but I don't have any problem with moving it onto one post, if it's more attractive, that's the reason I don't have any problem with that.

MR. KANE: Just that's our general idea to get it down to one sign, they are fairly close and you have one entranceway.

MR. ROSS: I have no problem.

MR. KANE: Thank you, sir.

RESULTS OF P. MEETING OF: November 17, 1999

PROJECT: Rt. 32 Auto Brokers (Geo. Ross) P.B.# 99-19

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y\_\_ N\_\_  
2. TAKE LEAD AGENCY: Y ☒ N\_\_

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_  
CARRIED: YES\_\_ NO\_\_

M) N S) A VOTE: A 4 N 0  
CARRIED: YES ☒ NO\_\_

WAIVE PUBLIC HEARING: M) 4 S) A VOTE: A 3 N\_\_ WAIVED: Y\_\_ N ☒

*1 abstain - Lander*

SCHEDULE P.H. Y ☒ N\_\_

SEND TO O.C. PLANNING: Y\_\_

SEND TO DEPT. OF TRANSPORTATION: Y\_\_

REFER TO Z.B.A.: M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_

RETURN TO WORK SHOP: YES\_\_ NO\_\_

APPROVAL:

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_ APPROVED: \_\_\_\_\_

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_ APPROVED CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: Y\_\_ N\_\_

DISCUSSION/APPROVAL CONDITIONS:

<i>Add note re: Combining Signs</i>
<i>Correct Parking Calculations</i>
<i>Make comment #3 a+b</i>
<i>Enclose Dumpster next to Bldg #1 (show detail)</i>
<i>Remove Dumpster next to Bldg #1</i>
<i>More screening</i>
<i>Whisper steps + Move handicap parking on plan</i>

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 99-19

DATE: 4 AUG 99

APPLICANT: GEORGE ROSS

P.O. BOX 616

PDMONA NY 10970

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED JULY 2, 1999

FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT NYS ROUTE 32

ZONE C/PI

DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 45

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

LOT AREA AND HEIGHT VARIANCE.

*Michael Babcock*

MARK J. ENSALL P.E.  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	USED CAR SALES	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>C</u>	USE <u>A-1D</u>		
MIN. LOT AREA	<u>80,000 SF</u>	<u>64,282</u>	<u>15,718 SF</u>
MIN. LOT WIDTH	<u>200 FT</u>	<u>234 FT</u>	<u>—</u>
REQ'D FRONT YD	<u>60 FT</u>	<u>14.1 *</u>	<u>—</u>
REQ'D SIDE YD.	<u>30 FT</u>	<u>55</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>10.9 *</u>	<u>—</u>
REQ'D REAR YD.	<u>30 FT</u>	<u>35.7 *</u>	<u>—</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT. <u>12" FT NW = 10.9 FT</u>		<u>20 FT</u>	<u>9.1 FT</u>
FLOOR AREA RATIO	<u>0.7</u>	<u>0.09</u>	<u>—</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>—</u>	<u>—</u>
DEV. COVERAGE	<u>N/A</u> %	<u>—</u> %	<u>—</u> %
O/S PARKING SPACES	<u>26</u>	<u>26</u>	<u>—</u>

~~\*~~ PRE-EXISTING NDN-CONFORMING

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

POSSIBLE ZBA REFERRALS:

ROUTE 32 AUTO BROKERS/GEORGE ROSS SITE PLAN (99-19)

Mr. Craig Marti of Valdina & Marti appeared before the board for this proposal.

MR. PETRO: Proposed used cars sales and leasing, this is in a commercial zone, Mike, and used cars aren't permitted in that zone, is that correct, or is the area too small, I forget?

MR. MARTI: The area.

MR. PETRO: New cars is less area than used, right? Why don't you tell us exactly what you want to do, give us a quick overview.

MR. MARTI: My name is Craig Marti, I'm with the firm of Valdina and Marti. The existing site consists of four building, one of which is vacant, which is recently used as a deli. There's an existing automotive repair shop that's there at this location. Route 32 Auto Brokers are currently utilizing the building in the back for the wholesale recovery and preparation for vehicles for wholesale distribution and there's a single story wood frame residence which is currently occupied by an elderly couple as a residential structure. The proposal of Route 32 Auto Brokers is to expand the business to include retail sale of used cars with the business to include leasing and brokering, financing of the same from the front building. The site plan as it's been prepared shows the parking layout as we would intend it to be presented and upon obtaining the required variance, the modifications to the existing site plan that would be necessary in order to obtain the parking we would be looking for would be the removing of existing chain link fence, expanding parking area by 15, 20 spaces, we would utilize existing vegetative buffer and fencing which is around the perimeter of the property. The area of the parcel is 64,282 square feet. We need 80 for the used car sales, we need a minimum of 80,000 square feet, we're here to request the denial and referral to the ZBA.

MR. PETRO: The blue building that's where the Lee Myles, is that Lee Myles?

MR. MARTI: It's Gene's Automotive.

MR. PETRO: That particular building is not going to be part of this actual application?

MR. MARTI: No, it's part of, it's only, it won't be part of the business.

MR. PETRO: The house, just the orange and the green building?

MR. MARTI: Yes.

MR. PETRO: Gorge, the building in the back is going to be used, has been used by them for quite a while, this auto brokers place, the building?

MR. ROSS: It's been a used car dealership on and off since about 1992.

MR. PETRO: But do you want to expand into the front building so that is the main reason you're here, is that correct, Mike?

MR. BABCOCK: Yes.

MR. ROSS: I wanted, we could use the back building for the sale of used cars, but when we spoke with Mark, he said it can only be used for wholesale, even though it's used previously for used car sales, I want to expand to the front.

MR. PETRO: If he was going to use new cars in the front, he would not be here for a change of use, though.

MR. BABCOCK: Change of use.

MR. EDSALL: And the comment I made was based on the previous approval you granted, I didn't say you couldn't do it, I said you needed to get a separate



approval.

MR. LANDER: One story garage, two bays in the back, you're telling me that that was for used car sales?

MR. ROSS: Yes.

MR. LANDER: That wasn't for detailing, Mike, you're shaking your head no?

MR. BABCOCK: He got planning board approval for wholesale, no used car sales.

MR. PETRO: Was that 20th Century?

MR. BABCOCK: That's correct, that's how it started.

MR. ROSS: Before that.

MR. BABCOCK: Well before that, you can't go back, George, you can't just keep going back to what it used to be two years ago what you got an approval for is what you can use it for.

MR. ROSS: Within the last year, it was used by Orange after 20th Century for used car sales.

MR. EDSALL: How are the parking spaces directly in the middle of the plan, how is this going to work as far as traffic flow, how are the cars going to back out if there's three parking spaces directly behind?

MR. MARTI: The attempt here is for the area in the center to be for display purposes as opposed to the actual usable parking as required by the regulations based on the land use, the resubmittal obviously can delineate which parking spaces would be utilized to meet code requirements or customer parking and employee parking and we can delineate which ones would be display purposes.

MR. PETRO: These are, in addition to, you're not required by code to have these at all, you're going to put them there for display purposes.

MR. MARTI: Code requirement based on the proposed uses the garage wholesale and residential uses as presented the total number of parking spaces required under the code is 26 for all four buildings, we've shown approximately 90 since we did have 64 display parking display, combination of display and storage and back area.

MR. PETRO: I think you should show that on the next plan display space and/or parking space. Where is the handicapped spaces for the building?

MR. MARTI: The handicapped we would locate as close as possible to the relevant building spaces, the one next to the building in the front being handicapped space as well as some which are located in close proximity to the usable building, this end one would probably be for the Gene's Autobody.

MR. PETRO: And for the rear building you'll have to show those also.

MR. MARTI: Right, with the detail as well as the sign detail and striping detail.

MR. PETRO: How big are the spaces here?

MR. MARTI: 9 x 18, Town Code required spaces.

MR. BABCOCK: That would be 9 x 19.

MR. MARTI: You're right.

MR. PETRO: The spaces by the house down there by the yellow house, I don't know if you have 25 foot back out, is it 25 or 24?

MR. EDSALL: Scale is 20.

MR. PETRO: So, you're going to have to change something if the spaces are used for the site requirement, if it's just for display, we'll have to discuss that.

MR. EDSALL: I don't know if you want to have, are you

going to have less than what the Town Code requires for storage for movement of vehicles?

MR. LANDER: Say that again, Mark.

MR. EDSALL: Well, first of all you can't tell which ones are display and which are customer, so once we know that then my question to the board would be are you going to impose a different criteria for storage spaces as far as backout and--

MR. LANDER: No, they still have to be moved sooner or later, you're going to have 64, let me, 64 cars that are going to be for sale, is that, am I correct?

MR. MARTI: That would be the maximum.

MR. LANDER: How many spaces, 24, so you need, you're going to fit 90 cars on this lot, is there 90 spaces here now?

MR. MARTI: Yes.

MR. LANDER: Cause I don't think it's on here.

MR. MARTI: All I have shown proposed parking 26 and display 64, I can break that apart as to which ones are required for each building use as well.

MR. PETRO: Well, what you're hearing is that the board is going to like to see the 25 foot aisle width, so those 30 spaces which I think are not a good idea anyway cause they are blocking in those three, once you remove them, I think it's a minor impact on your plan and it would alleviate all the problems.

MR. LANDER: Stockade fence to be removed. Now, is that stockade fence that goes all the way around and comes down passed Schafee's property, am I correct?

MR. MARTI: Yes, the attempt for it to removed is only in the back area where it would be necessary to expand the parking area to accommodate the parking spaces in accordance with the size requirements and that obviously there would be the opportunity for discussion

pertaining to its replacement or moving as opposed to removal.

MR. LANDER: I think because there are a couple cottages in the back, the fence was put up for a reason the last time, so I think we just move that fence back.

MR. PETRO: Gentlemen, let's not get too deep into the planning board aspect of the plan, let's conceptually see if we have a problem or don't so we can send them to the zoning board. There's no sense if they are not successful going through all this, if they are successful at that time, we can do our due diligence. I'd like to see the three spaces taken off the plan before you go to zoning board and if you want to augment the fence problem in the back. Anything else outstanding? Entertain a motion to approve.

MR. STENT: Motion we grant approval to Route 32 Auto Brokers.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Route 32 Auto Brokers on Route 32. Is there any discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	NO
MR. STENT	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for your necessary variances. Once you have received those and properly placed them on the map, we would once again review your plans. Thank you.

PRELIMINARY MEETINGS:

ROSS, GEORGE

MR. NUGENT: Referred by Planning Board for 15,718 square feet lot area and 9.1 ft. maximum building height variance for used car sales and leasing at location, NYS Route 32 (adjacent to Lander property) in C/PI zone.

Mr. Craig Marti of Valdina-Marti Engineering & Surveying appeared before the board for this proposal.

MR. NUGENT: Go ahead.

MR. MARTI: Craig Marti with the firm of Valdina-Marti Engineering representing Mr. Ross with this action. Mr. Ross is here, should the board have any questions, he's in better position to answer than I am. The project which we'll be submitting is the conversion of a vacant building located on Mr. Ross' property, the property itself is located on the west side of Route 32 approximately 200 feet south of the intersection with Willow Lane. The existing lot lies primarily within a C Zone with the back portion of it being cut off by the zone district boundary PI zone and C zone, primarily the zoning was set up as 200 feet off the roadway, majority of the lot falls in the C zone, in which the proposed use is permitted. The existing conditions consist of a single story vacant building at this point in time, the last use of the building was a deli, which is currently gone out of business and the building is currently vacant. The second building, which is currently an auto prepare shop proposed for that to remain and I believe it's Gene's Automotive?

MR. ROSS: Barry's Automotive.

MR. MARTI: Will remain as tenant in that building. The third building is currently occupied by Route 32 Auto Brokers, which runs a wholesale used auto business from the back building, the fourth building on the property is a small residential wood frame structure, which is occupied by an elderly tenant couple who Mr. Ross has basically decided to remain as tenants until

they so decide to move out or can no longer live there.

MR. ROSS: They have been there 25 years.

MR. MARTI: The proposal which we'll be coming to you with is the application, is the conversion of the vacant building to be utilized as an expansion of the existing wholesale business to incorporate retail sales, leasing and financing of used autos from the front building. The variance which we would require to do that is an area variance because of the, although it's a permitted use in the C zone, the minimum lot size for that use is 80,000 square feet, the existing lot size is 64,280 plus or minus square feet, so we need an area variance to do that. The other variances which the planning board consultants have pointed out were setback limits, front yard and side yard and as well as the building height and the largest building from ground measurement would be the frame residence. Those are existing conditions which are non-conforming. It would be my understanding that those wouldn't necessarily need a variance per se, however, if it's the board's wish, we'd add it to the list and request everything that we need at once, so that we can modify the use accordingly and expand the auto business to incorporate the retail sales.

MR. NUGENT: Where do you come up with the 9 foot building height?

MR. MARTI: That was calculated by the consulting engineer from bulk table which I haven't seen. What he did is he calculated the maximum height per allowed in the zone looked at the maximum building height which I had shown as being in existence, the difference between the allowable height and the existing height.

MR. NUGENT: Which building does it pertain to?

MR. MARTI: It pertains to building number one, the hip roof portion that goes up higher, so it would be the building in the front.

MR. NUGENT: You're not actually doing anything?

MR. MARTI: We're not changing the building structure, it's what's there now.

MR. BABCOCK: Changing the use of the building, so we feel that they should comply with the table.

MR. NUGENT: But they are not making any structural changes to make it higher?

MR. BABCOCK: No.

MR. MARTI: We're not changing the building, just changing the use of the building.

MR. NUGENT: Basically, this building that we're talking about is just going to be an office structure?

MR. MARTI: Yeah, it would be an office, auto sales office type of structure.

MR. REIS: Michael, parking, adequate parking?

MR. BABCOCK: Yes.

MR. REIS: That's not an issue?

MR. BABCOCK: No.

MR. MARTI: We have made slight revisions to the parking, at the request of the planning board, Mark Edsall made some minor comments with regards to the orientation of some parking spaces, the plan which we'll be submitting to the zoning board and back to the planning board will have those changes incorporated and those changes are shown on the display that I have here tonight.

MR. TORLEY: No difference in the road cut?

MR. MARTI: No, we'll use the existing road cut. The only difference, actually, the only changes which we'll have to make are straightening the edge of pavement and some parking lot surface improvements and then some restriping and orientation of the actual parking spaces to clearly delineate the types of spaces as well as the

location of the spaces.

MR. TORLEY: So, you're not increasing the paved area by changing the water runoff?

MR. MARTI: The only increase is a matter of a few feet to straighten out where it may go. We're not in any way changing the patterns of the runoff or the amounts that we're changing, it's such a insignificant amount, it would be well within the error of the calculations.

MR. REIS: The existing egress and exit will remain the same?

MR. MARTI: Yes, that will remain at this location here, internal traffic pattern will be modified slightly in order to accommodate the handicapped parking at an angled space between these two buildings as well as the display cases for the autos for sale in this area with customer parking located along the ends, the handicapped parking where it's convenient to both buildings here, some additional handicapped parking in this area where it's conducive to both buildings, again, and customer parking along the back portion of the parking lot here as well as some spaces in this area for customer parking, the area behind the wholesale building will be used primarily for storage.

MR. KANE: What about signage?

MR. MARTI: The only signage that we can foresee would be the handicapped parking signs and possibly do not enter type of sign, if this was to be secured for storage purposes.

MR. KANE: No coming back in the future for any type of road signs?

MR. MARTI: No, there's no need for a variance of any kind as far as the business advertising is concerned.

MR. TORLEY: So all the present business signs meet the existing code?

MR. ROSS: Yes.



MR. MARTI: I think so, I can check that prior to my submittal to this board as well.

MR. ROSS: They do, they were actually under.

MR. TORLEY: We changed the code from a couple years back so the deli sign's over--

MR. NUGENT: Any further questions by the board? I'll accept a motion.

MR. TORLEY: I move that we set up Mr. George Ross for his requested public hearing for the requested variances.

MR. KANE: Second it.

ROLL CALL

MR. MCDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MS. BARNHART: Craig, these are your applications.

MR. MARTI: I think we might have one, but I'll take it.

MR. KRIEGER: If you would take these, these are the criteria that sheet on which the zoning board must decide according to the state. So if you would address yourself to those criteria at the public hearing, that would be helpful.

MR. MARTI: Sure. Thank you very much.

*B.2.*

ZONING BOARD OF APPEALS  
REGULAR SESSION  
September 13, 1999

AGENDA

7:30 P.M. – ROLL CALL

Motion to accept minutes of the August 9, 1999 meeting as written.

R&F – Correspondence dated 7/16/99 from Carol Owen.

PRELIMINARY MEETINGS:

*SET UP  
FOR P/H*

1. ROSS, GEORGE – Ref. by Planning Board for 15,718 sq. ft. lot area and 9.1 ft. max. building height variance for used car sales and leasing at location, NYS Route 32 (adjacent to Lander property) in C/PI zone. (35-1-45). \*

*SET UP  
FOR P/H*

2.. TGS ASSOCS. INC. – Ref. by Planning Board for 20 ft. side yard and 11 ft. max. bldg. height variances for removal of former Perkins Pancake House and construction of (1) six wash bays; (2) automatic car wash; (3) oil and lube shop at Rt. 32/94 location in a C zone. (69-3-2). \*

*SET UP  
FOR P/H*

3. JOHNSON, FLOYD – Request for 9,801 sq. ft. lot area, 17 ft. front yard and 3 ft. rear yard variances to construct a single-family residence on Dean Hill Road in an R-3 zone. (67-1-2.22).

*SET UP  
FOR P/H*

4. ANDERSON, DANE – Request for 3 ft. maximum bldg. height variance for garage at 271 Riley Road in an R-3 zone. (35-1-86.2).

PUBLIC HEARING:

*APPROVED*

5. ORWEST REALTY, INC. – Request for 1 ft. front yard variance to allow existing canopy at Dairy Mart Store at 173 Windsor Highway in NC zone. (12-2-1).

*APPROVED*

6. POSPISIL, MICHAEL – Request for existing shed to be relocated closer to road than principal structure in variation of Section 48-14A(4) of the Supp. Yard Regs. at 203 Butterhill Drive in a CL-1 zone. (80-1-17). \*

*APPROVED*

7. RINALDI, JAMES – Request for variation of Section 48-14A(4) of Supp. Yard Regs. to allow existing shed and pool to be located closer to road than principal dwelling at 531 Beattie Road in an R-1 zone. (51-1-83.11). \*

FORMAL DECISIONS (1) BIGI (2) BARTON (3) GATTO (4) MCGUINNESS  
(5) ZECCOLA (6) CESTARI

Pat 563-4630 (o)  
562-7107 (h)

*APPROVED*



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
e-mail: mheny@att.net
- ☐ **Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** ROUTE 32 AUTO BROKERS (ROSS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 99-19  
**DATE:** 14 JULY 1999  
**DESCRIPTION:** THE APPLICATION PROPOSES CONVERSION OF THE  
SOUTHERLY BUILDING TO A USED AUTO SALES  
FACILITY. THE PLAN WAS REVIEWED ON A CONCEPT  
BASIS ONLY.

1. The property is substantially located within the "C" Zoning District of the Town. The rear portion of the property is within the "PI" Zoning District.

Based on the latest bulk tables I have, the "required" values appear correct, although the required (max.) building height should be verified. As part of the verification, the newly adopted (but not yet published) bulk tables should be reviewed to insure that the referral to the ZBA is accurate. As well, the Applicant's Engineer should verify the "provided" bulk table information.

As is noted in the application to the Board, the proposed use has bulk requirements greater than those for the existing site. As such, area variance(s) will be required before the Planning Board can take action on this site plan.

2. One of the key elements for review of this site plan will be the required and provided parking for the site. The Applicant provides indication that twenty six (26) spaces are required and have been provided. In addition, it is noted that sixty four (64) display spaces have been provided. Regarding the parking issue, I have the following comments:
  - a. Notwithstanding the fact that required parking values have been indicated, the plan has no parking calculations, which is necessary to verify that a proper number has been computed. This should be included on the plan.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** ROUTE 32 AUTO BROKERS (ROSS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 99-19  
**DATE:** 14 JULY 1999

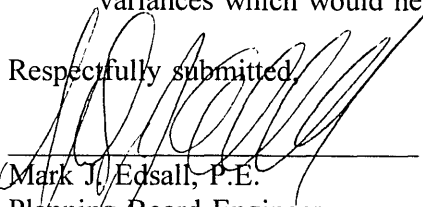
- b. The layout of the parking spaces is problematic, as the size of the spaces appears to be (in many cases) 18' x 9'. 19' spaces are required. It would also appear that many of the angled parking spaces are too small.
  - c. Although not dimensioned, it would appear that some of the back-out aisles are inadequate to comply with the Town's Code. This should be corrected.
  - d. For the angled parking spaces, in addition to not indicating the dimensions of the spaces, the angle of the proposed spaces is not noted. This should be added to the plan.
  - e. It is not clear from reviewing the plan which spaces are proposed as customer spaces and which spaces are proposed as display spaces. This should be clarified.
  - f. At least ten (10) of the parking spaces would appear to be "trapped" between other spaces, which would mean the spaces are unusable for customer purposes. This should be evaluated when the use of the spaces is indicated.
  - g. The site does not include any handicapped parking spaces, notwithstanding the fact that this is a State Code requirement.
  - h. Verification should be made as to the total number of parking spaces actually depicted on the plan. The plan table would indicate a total of ninety (90) spaces, whereas I count only eighty eight (88).
3. In addition to the critical issue of parking, there are some other concerns which had been identified as part of this preliminary review of the site plan. These are as follows:
- a. The plan indicates that the stockade fence at the rear of the site is "to be removed". As I recall, this stockade fence was intended as a screening element for the site. Is the stockade fence to be reinstalled behind the new parking spaces? Is something else being proposed other than reinstallation of the fence?

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 3**

**REVIEW NAME:** ROUTE 32 AUTO BROKERS (ROSS) SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 99-19  
**DATE:** 14 JULY 1999

- b. It is my understanding that a "secure storage area" is required for at least one of the business operations on the site. Since fences are being removed, is this "secure storage" being eliminated? Are any new fences proposed?
  - c. It is unclear from the plan where the edge of existing pavement is. Are any areas proposed to be paved?
  - d. The Board should determine if additional lighting information is required on the plan or if the information is acceptable, as submitted.
  - e. The catch basin located near Building 1 indicates that same will be repaired or replaced. Of concern is the note on the plan which indicates that it is impossible to tell if pipes are inlets or outlets, or if an outlet exists for the catch basin. This should be determined as drainage is a concern in this area of the Town.
  - f. At the Work Session, it was requested that the overhead bay doors be depicted on the plan for each building. The intent was to evaluate traffic flow on the site and insure that parking spaces do not obstruct such access. The bays are not indicated on this submitted plan.
4. The Applicant has requested a referral to the Zoning Board of Appeals for necessary action. It is important that a correct site plan be prepared, such that this application, once referred to the ZBA, goes for all the needed variances, rather than missing any such variances which would necessitate a return trip to that Board.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:RT32.mk

RESULTS OF MEETING OF: July 1999

PROJECT: Rt. 32 Auto Brokers P.B.# 99-19

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y\_\_ N\_\_

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_

2. TAKE LEAD AGENCY: Y\_\_ N\_\_

CARRIED: YES\_\_ NO\_\_

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_

CARRIED: YES\_\_ NO\_\_

WAIVE PUBLIC HEARING: M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_ WAIVED: Y\_\_ N\_\_

SCHEDULE P.H. Y\_\_ N\_\_

SEND TO O.C. PLANNING: Y\_\_

SEND TO DEPT. OF TRANSPORTATION: Y\_\_

REFER TO Z.B.A.: M) S S) LA VOTE: A 4 N 0

RETURN TO WORK SHOP: YES\_\_ NO\_\_

APPROVAL:

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_ APPROVED: \_\_\_\_\_

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_ APPROVED CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: Y ✓ N\_\_

DISCUSSION/APPROVAL CONDITIONS:

<u>Show display space</u>
<u>Need 25' side width</u>
<u>Remove three spaces before ZBA referral</u>



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## OFFICE OF THE PLANNING BOARD

February 22, 1999

Mr. Frank Petrelli  
Route 32 Auto Brokers  
270 Route 32  
New Windsor, NY 12553

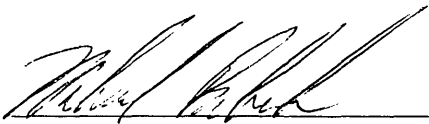
SUBJECT: APPROVAL OF PLANNING BOARD  
270 N.Y.S. ROUTE 32 (ROSS SITE PLAN)  
NEW WINDSOR, NY

Gentlemen:

This letter is to inform you that the subject premises was reviewed at the February 3, 1999 Planning Board Worksession and it was determined that the continued use of wholesale vehicle preparatory sales, and storage, is permitted per the site plan with stamp of approval dated 11/30/93. As such, it was decided that you have approval for "Wholesale Cars" with no display of vehicles or retail on the property.

If you have any further questions, please contact our office.

Very truly yours,

  
\_\_\_\_\_  
Michael Babcock, Building & Zoning  
Inspector

MLB:mlm

cc: Mark Edsall, P E. – P.B. Engineer

# Valdina ~ Marti Engineering & Surveying, PC

4 Pleasant View Ave., Newburgh, New York 12550

Frank J. Valdina, Jr., PE, LS  
Craig M. Marti, PE

Phone: (914) 565-4447  
Fax: (914) 565-4428  
NYS: (800) 893-4447

July 2, 1999

Town of New Windsor  
Planning Board  
555 Union Ave.  
New Windsor, New York 12553

99-19

Attn: Mr. James R. Petro, Jr.  
Chairman

Re: Rte. 32 Auto Brokers  
Lands of George Ross

Dear Mr. Petro:

Inclosed for the Board's action are the appropriate application forms and plans for Subject project.

This project will require an area variance in order to establish a used auto sales use on a lot which has less than the required 80,000 sf. It is therefore requested that this item be placed on the next available agenda for denial and referral to the Zoning Board of Appeals.

If you should have any questions regarding this matter, please contact this office at your earliest convenience.

Very truly yours,  
Valdina-Marti Engineering & Surveying, PC



Craig M. Marti, PE  
Principal





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: \_\_\_\_\_

DATE PLAN RECEIVED: \_\_\_\_\_

98-99

RECEIVED DEC 15 1999

RECEIVED

DEC 17 1999

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision ☒ \_\_\_\_\_ as submitted by  
\_\_\_\_\_ for the building or subdivision of  
\_\_\_\_\_ has been  
reviewed by me and is approved ☒ \_\_\_\_\_,  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Sullivan  
HIGHWAY SUPERINTENDENT

12/17/99  
DATE

\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: \_\_\_\_\_

DATE PLAN RECEIVED: \_\_\_\_\_

RECEIVED DEC 15 1999

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Cecil V. Lydcker has been

reviewed by me and is approved 2,

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

Not by water water dept. for water main  
Location.

HIGHWAY SUPERINTENDENT DATE

Steve D.D. 12-20-99  
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

**99-19**

DATE PLAN RECEIVED:

RECEIVED NOV 15 1999

The maps and plans for the Site Approval

Subdivision as submitted by

for the building or subdivision of

Rt. 32 Auto Brokers

has been

reviewed by me and is approved ☒

disapproved ☐

~~If disapproved, please list reason~~

This property has town water -  
call for map-out if necessary -

HIGHWAY SUPERINTENDENT

DATE

James D. D'Amico  
WATER SUPERINTENDENT

11-16-99  
DATE

SANITARY SUPERINTENDENT

DATE





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98-19

DATE PLAN RECEIVED: RECEIVED NOV 15 1999

**RECEIVED**

NOV 15 1999

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved ☒

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Puller 11/15/99  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B #      -     

WORK SESSION DATE: 10 Nov 99 APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: George Ross. new plans  
(he turned in)  
today

PROJECT STATUS: NEW      OLD     

REPRESENTATIVE PRESENT: Craig Marti/George Ross/Farr.

MUNIC REPS PRESENT: BLDG INSP.       
FIRE INSP. Rick  
ENGINEER X  
PLANNER       
P/B CHMN.       
OTHER (Specify)     

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- must pour at least On space or move
- add wheel stops for rear west pky. "C"
- one of signs must go (not decided yet)
- They checked MPE list - all done
- do final check.

pbwsform 10MJE98

CLOSING STATUS  
X Set for agenda  
     possible agenda item  
     Discussion item for agenda  
     ZBA referral on agenda

ZONING BOARD OF APPEALS  
November 8, 1999

REVISED AGENDA:

7:30 p.m. – ROLL CALL

Motion to accept minutes of the 10/25/99 meeting as written.

**PRELIMINARY MEETING:**

- NO SHOW* 1. **MINUTOLI, RICHARD F.** – Request for 2 ft. fence height variance to construct fence in front yard in variation of Section 48-14C(1)(c) of the Supp. Yard Regs. at 424 Mt. Airy Road in an R-3 zone. (65-1-72). *Cancelled to 11/22/99.*
- SET UP FOR P/H* 2. **DUFFER'S HIDE-A-WAY** – Request for 22 ft. front yard variance for parking lot, 32 ft. max. bldg. height variance for poles and a 5.5% developmental coverage for reconstruction of driving range and construction of 20 additional parking spaces in front of site on e/s Windsor Highway in a C zone. (9-1-25.21)

**PUBLIC HEARINGS:**

- APPROVED* 3. **ROSS, GEORGE** – Request for 15,718 sq. ft. lot area, 9.1 ft. max. bldg. height, plus façade sign: one additional, 6 ft. height, 10 ft. width variance; freestanding sign: one additional, 3 ft. height and 4 ft. 6 in. width variance for proposed used car/leasing office at 268 Windsor Highway (formerly Barry's Automotive) in a C/PI zone. (35-1-45). *DISAPPROVED FOR FREE STANDING SIGN*
- TABLE TO 11-22-99* 4. **MAURICE, FRANK** – Request for 68.8 ft. lot width and 28.8 ft. street frontage to construct single-family dwelling on Mt. Airy Road in R-3 zone. (65-1-16.12).
- APPROVED* 5. **ALDRIDGE, DONALD D.** – Request for 15 ft. 8 in. front yard variance for construction of deck at 558 Shore Drive in an R-4 zone. (62-8-32).
- APPROVED* 6. **H-Z DEVELOPMENT PARTNERS (HELMER)** – Request for 8.56 lot width variance after subdividing lots in Gateway Development on Wembly Road in PI zone. (4-3-17.13).

*APPROVED* **DECISION** – WINDSOR ACADEMY (from 10/25/99 meeting).

**FORMAL DECISIONS:** (1) ORWEST (2) POSPISIL (3) RINALDI  
Pat – 563-4630 (o) or 562-7107 (h)

*APPROVED*



1765

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 99-19

DATE PLAN RECEIVED: RECEIVED JUL - 7 1999

The maps and plans for the Site Approval ✓

Subdivision \_\_\_\_\_ as submitted by

VALDINA + MARTI for the building or subdivision of

RT. 32 AUTO BROKERS has been

reviewed by me and is approved \_\_\_\_\_,

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

NO SEWER DETAIL

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

HIGHWAY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

WATER SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

[Signature] 8/6/99  
SANITARY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

**99-19**

DATE PLAN RECEIVED:

**RECEIVED JUL - 7 1999**

The maps and plans for the Site Approval

Subdivision as submitted by

for the building or subdivision of

Rt. 34 Auto Broker has been

reviewed by me and is approved ☒

~~disapproved~~

If disapproved, please list reason

Property is being sold by town  
water.

HIGHWAY SUPERINTENDENT

DATE

James D. D.  
WATER SUPERINTENDENT

**7-8-99**

DATE

SANITARY SUPERINTENDENT

DATE



1765

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

RECEIVED

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

99-19

N.W. HIGHWAY DEPT.

DATE PLAN RECEIVED: RECEIVED JUL - 7 1999

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved ☒

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Sullivan 7/8/99  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

**INTER-OFFICE MEMORANDUM**

**TO: Town Planning Board**

**FROM: Town Fire Inspector**

**DATE: July 8, 1999**

**SUBJECT: Ross Site Plan**

Planning Board Reference Number: PB-99-19

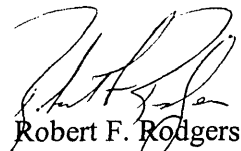
Dated 7 July 1999

Fire Prevention Reference Number: FPS-99-026

A review of the above referenced subject site plan was conducted on 8 July 1999.

This site plan is acceptable.

Plans Dated 15 June 1999.



Robert F. Rodgers  
Fire Inspector

RFR/dh



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
☐ Branch Office  
507 Broad Street  
Millford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B

<sup>1-3</sup>  
99-19

WORK SESSION DATE:

16 JUNE 1999

APPLICANT RESUB.

REQUIRED:

Fell App

REAPPEARANCE AT W/S REQUESTED:

Yes after ZBA

PROJECT NAME:

Rox S/P

PROJECT STATUS:

NEW

X

OLD

REPRESENTATIVE PRESENT:

George Lora / Craig Martin

MUNIC REPS PRESENT: BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Used Car A-10 Sales

1/1000

Arch Repair - Pre-exist. w/

1/4 bay + 1/3000 F outside bay

(400" bay)

Residential -

2

show off door locations

differentiate display space

Area V for Used Car sales

from customer

9x19

to near use

next avail mtg after plan

CLOSING STATUS

Set for agenda

possible agenda item

Discussion item for agenda

X ZBA referral on agenda

pbwsform 10MJE98



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

ROSS

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B <sup>1-3</sup> **99-19**

WORK SESSION DATE: 21 April 99

APPLICANT RESUB.  
REQUIRED: Later - full

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Ross - Rt 32

PROJECT STATUS: NEW X OLD       

REPRESENTATIVE PRESENT: Craig Martz

MUNIC REPS PRESENT: BLDG INSP.         
FIRE INSP. X  
ENGINEER X  
PLANNER         
P/B CHMN.         
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- leaving SFR as is - old tenants.
- rear right bldg - now (approved) wholesale car sales
- left rear. - vehicle repair
- proposed retail vehicle sales left front bldg - (former deli)
- go to P/B first - need variance(s) for used car sale
- layout parking and display
- need accurate survey
- number bldgs - parking

CLOSING STATUS

- ☒ Set for agenda  
☒ possible agenda item  
☒ Discussion item for agenda  
☒ ZBA referral on agenda

pbwsform 10MJ98



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF NEW WINDSOR

P/B # 99 - 1

WORK SESSION DATE: 3 FEB 99

APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: Not now

Not now

PROJECT NAME: Ross 5/p Am

PROJECT STATUS: NEW X OLD       

REPRESENTATIVE PRESENT: George Ross

354-0116  
Frank Petrelli  
Rt 32 Auto Brokers

MUNIC REPS PRESENT: BLDG INSP.         
FIRE INSP. X  
ENGINEER X  
PLANNER         
P/B CHMN.         
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Rear bldg - proposed used cars -
- plan stamped 11/3/93 doesn't have used car on it
- used car - needs 80,000 sf need variance

Says he only wholesales  
needs letter - "wholesale used car sales"  
Dept of M.V.

- later phase they want retail - will need later  
P/B submittal.

CLOSING STATUS

- Set for agenda  
       possible agenda item  
       Discussion item for agenda  
       ZBA referral on agenda

pbwsform 10MJE98



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

99-19

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change \_\_\_\_\_ Site Plan ☒ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 35 Block 1 Lot 45

1. Name of Project Rte 32 Auto Brokers

2. Owner of Record George Ross Phone 354-0116

Address: PO Box 616 Pomona NY 10970  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant George Ross Phone 354-0116

Address: PO Box 616 Pomona NY 10970  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Valdina-Marti Engr. & Survy.PC Phone 565-4447

Address: 4 Pleasant View Ave. Newburgh NY 12550  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Craig M. Marti 565-4447  
(Name) (Phone)

7. Project Location:

On the West side of NYS Route 32 \_\_\_\_\_ feet  
(Direction) (Street) (No.)  
South of Willow Lane  
(Direction) (Street)

8. Project Data: Acreage 1.48 Zone C/PI School Dist. Nbg.

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

**\*This information can be verified in the Assessor's Office.**

**\*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) Conversion of property use to include used car sales, leasing & financing

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**ACKNOWLEDGMENT:**

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

2<sup>nd</sup> DAY OF July 1999

[Signature]  
APPLICANT'S SIGNATURE

[Signature]  
NOTARY PUBLIC

MARIA SPILIOTIS  
Notary Public, State of New York  
Qualified in Orange County

Please Print Applicant's Name as Signed

GEORGE ROSS

\*\*\*\*\*Registration No. 01950859\*\*\*\*\*  
Commission Expires June 16, 2001

TOWN USE ONLY:

RECEIVED JUL - 7 1999

DATE APPLICATION RECEIVED

99-19

APPLICATION NUMBER



**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

**99-19**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

George Ross, deposes and says that he resides  
(OWNER)  
at PO Box 616 Pomona in the County of Rockland  
(OWNER'S ADDRESS)  
and State of New York and that he is the owner of property tax map  
(Sec. 35 Block 1 Lot 45)  
designation number (Sec.        Block        Lot       ) which is the premises described in  
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Valdina-Marti Engineering & Surveying, PC, 4 Pleasant View Ave., Newburgh, NY 12550  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: on this 2nd day of July 1999

Maria Spiliotis  
Witness' Signature

MARIA SPILIOTIS  
Notary Public, State of New York  
Qualified in Orange County  
Registration No. 01SP5080389  
Commission Expires June 16, 2001

George Ross  
Owner's Signature

Valdina-Marti  
Applicant's Signature if different than owner  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

SITE PLAN CHECKLIST

ITEM

1.     X     Site Plan Title
2.     X     Provide 4" wide X 2" high box directly above title block  
(preferably lower right corner) for use by Planning Board in  
affixing Stamp of Approval (ON ALL PAGES OF SP)
3.     X     Applicant's Name(s)
4.     X     Applicant's Address
5.     X     Site Plan Preparer's Name
6.     X     Site Plan Preparer's Address
7.     X     Drawing Date
8.     X     Revision Dates
9.     X     Area Map Inset and Site Designation
10.     \*     Properties within 500' of site
11.     \*     Property Owners (Item #10)
12.     X     Plot Plan
13.     X     Scale (1" = 50' or lesser)
14.     X     Metes and Bounds
15.     X     Zoning Designation
16.     X     North Arrow
17.     X     Abutting Property Owners
18.     X     Existing Building Locations
19.     X     Existing Paved Areas
20.     X     Existing Vegetation
21.     X     Existing Access & Egress

\* To be furnished subsequent to Zoning Board of Appeals approval.

**PROPOSED IMPROVEMENTS****99-19**

- |     |                        |                                     |
|-----|------------------------|-------------------------------------|
| 22. | <u>      X      </u>   | Landscaping                         |
| 23. | <u>      X      </u>   | Exterior Lighting                   |
| 24. | <u>      N/A      </u> | Screening                           |
| 25. | <u>      X      </u>   | Access & Egress                     |
| 26. | <u>      X      </u>   | Parking Areas                       |
| 27. | <u>      N/A      </u> | Loading Areas                       |
| 28. | <u>      *      </u>   | Paving Details (Items 25 - 27)      |
| 29. | <u>      X      </u>   | Curbing Locations                   |
| 30. | <u>      N/A      </u> | Curbing through section             |
| 31. | <u>      X      </u>   | Catch Basin Locations               |
| 32. | <u>      N/A      </u> | Catch Basin Through Section         |
| 33. | <u>      X      </u>   | Storm Drainage                      |
| 34. | <u>      X      </u>   | Refuse Storage                      |
| 35. | <u>      X      </u>   | Other Outdoor Storage               |
| 36. | <u>Existing</u>        | Water Supply                        |
| 37. | <u>Existing</u>        | Sanitary Disposal System            |
| 38. | <u>      X      </u>   | Fire Hydrants                       |
| 39. | <u>      X      </u>   | Building Locations                  |
| 40. | <u>      X      </u>   | Building Setbacks                   |
| 41. | <u>Existing</u>        | Front Building Elevations           |
| 42. | <u>      X      </u>   | Divisions of Occupancy              |
| 43. | <u>      *      </u>   | Sign Details                        |
| 44. | <u>      *      </u>   | Bulk Table Inset                    |
| 45. | <u>      X      </u>   | Property Area (Nearest 100 sq. ft.) |
| 46. | <u>      *      </u>   | Building Coverage (sq. ft.)         |
| 47. | <u>      *      </u>   | Building Coverage (% of total area) |
| 48. | <u>      *      </u>   | Pavement Coverage (sq. ft.)         |
| 49. | <u>      *      </u>   | Pavement Coverage (% of total area) |
| 50. | <u>      *      </u>   | Open Space (sq. ft.)                |
| 51. | <u>      *      </u>   | Open Space (% of total area)        |
| 52. | <u>      X      </u>   | No. of parking spaces proposed      |
| 53. | <u>      X      </u>   | No. of parking spaces required      |

**REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:**

54. \_\_\_\_\_ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
55. \_\_\_\_\_ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

***PREPARER'S ACKNOWLEDGMENT:***

THE PLAT FOR THE PROPOSED SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: \_\_\_\_\_

Licensed Professional

Date

99-19

PROJECT I.D. NUMBER

617.21

Appendix

99-19

SEQR

**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR George Ross	2. PROJECT NAME Rte 32 Auto Broker
3. PROJECT LOCATION: Municipality <u>New Windsor (T)</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) West side of NYS Rte 32, approximately 200 feet south of the Willow Lane/Rte 32 intersection.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Proposed project is to add the retail sales of used automobiles.	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.48±</u> acres    Ultimately <u>1.48±</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If No, describe briefly Lot area less than required for proposed use.	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency(s) and permit/approvals Town of New Windsor Zoning Board of Appeals variance re:Lot Area	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency name and permit/approval Town of New Windsor Planning Board - Site Plan Approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>George Ross</u>	Date: <u>7/2/99</u>
Signature: <u><i>George Ross</i></u>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

OVER

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.  
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

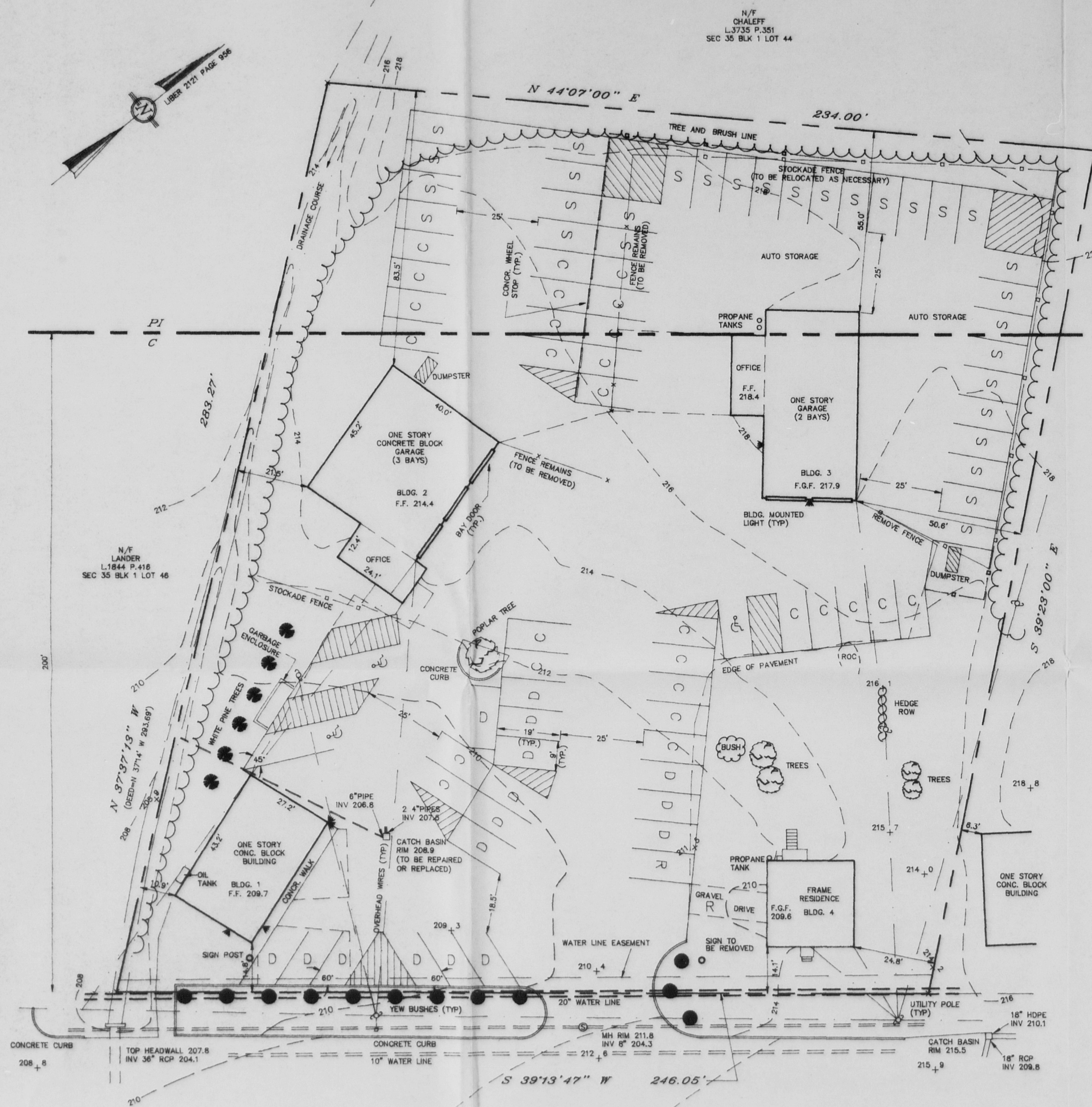
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
☐ Yes ☐ No If Yes, explain briefly

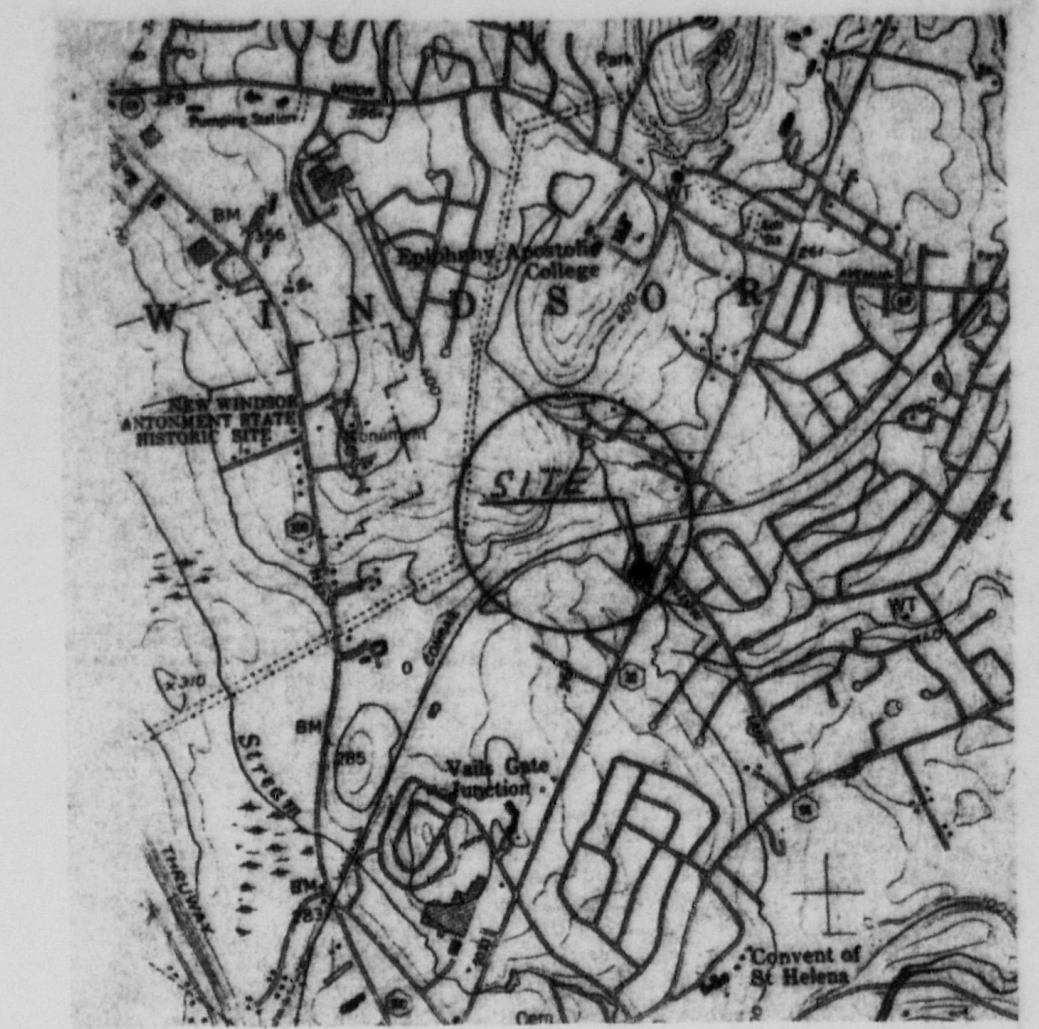
**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Date \_\_\_\_\_





Parcel Area  
64,282 S.F.  
1.48 Ac.



LOCATION MAP  
SCALE: 1" = 2000'

### LEGEND

- EXISTING STOCKADE FENCE
- PROPOSED STOCKADE FENCE
- EXISTING CHAIN LINK FENCE
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- SPOT ELEVATION

### PARKING REQUIREMENTS:

RESIDENTIAL -	2 SPACES
BUILDING #1 -	27.2 x 43.2 = 1,185.84 S.F. = 1.2 SPACES
BUILDING #2 -	3x4 + 2107 - 1200 = 15.02 SPACES
BUILDING #3 -	2x4 + 1836 - 800 = 11.5 SPACES
BUILDING #4 -	2x4 + 1836 - 800 = 11.5 SPACES
TOTAL REQUIRED -	30 SPACES

### PARKING PROVIDED:

HANDICAP (H) -	3 SPACES
CUSTOMER (C) -	27 SPACES
DISPLAY (D) -	18 SPACES
STORAGE (S) -	31 SPACES
RESIDENTIAL (R) -	2 SPACES
TOTAL PROVIDED -	79 SPACES

PROPERTY OWNER: GEORGE ROSS  
P.O. BOX 816  
POMONA, NY 10970

SURVEYED IN ACCORDANCE WITH DEEDS OF RECORD AND PHYSICAL MONUMENTATION FOUND DURING FIELD SURVEY COMPLETED ON 18 MAY 1999, BY GREVAS & HILDRETH, P.C.

ELEVATION DATUM IS U.S.G.S. CONTOUR INTERVAL TWO FEET

NO CERTIFICATION IS MADE AS TO THE ACTUAL LOCATION OF UNDERGROUND UTILITIES NOT EVIDENCED BY SURFACE INDICATIONS.

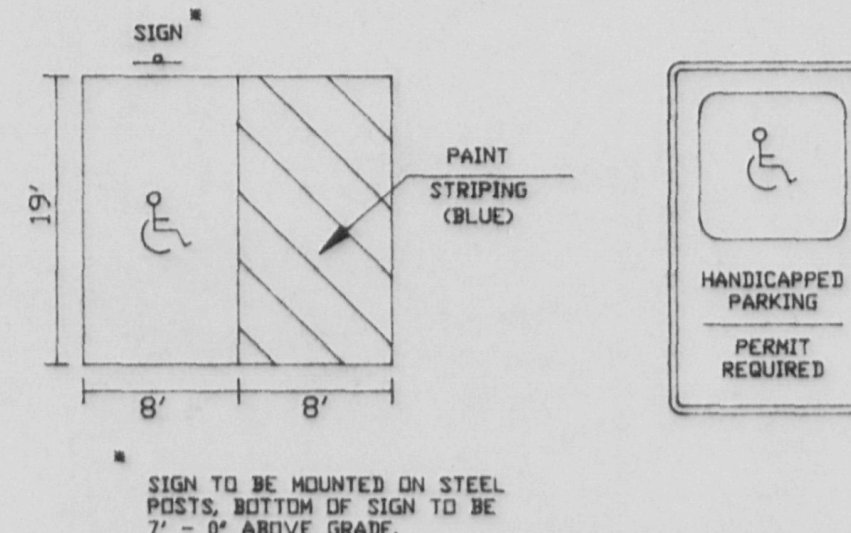
AREA, SETBACK, BUILDING HEIGHT, AND SIGN VARIANCES WERE GRANTED BY THE TOWN OF NEW WINDSOR, ZONING BOARD OF APPEALS ON NOVEMBER 8, 1999.

PAVEMENT SHALL BE SEAL COATED AND STRIPED IN ACCORDANCE WITH THIS PLAN.

THE USE OF BUILDING NO. 3 SHALL CONTINUE IN ACCORDANCE WITH THE CONDITIONS OF THE SPECIAL USE PERMIT GRANTED NOV. 30, 1993 INCLUDING LIMITED WORK HOURS (8:00 AM TO 8:00 PM) AND NO WORK ON SUNDAYS.

SPECIFICATIONS  
CONCRETE MINIMUM STRENGTH - 4000 PSI  
REINFORCEMENT - #4 Rebar, Fiber  
AIR ENTRAINMENT - 6%

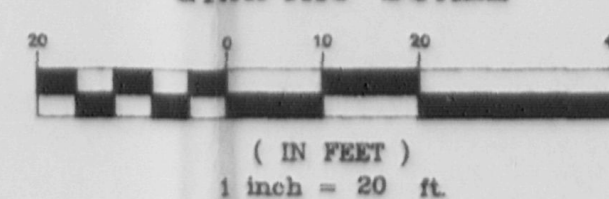
CONCRETE WHEEL STOP DETAIL  
NO SCALE



HANDICAPPED PARKING & SIGN DETAIL  
NO SCALE

N.Y.S. ROUTE 32  
S.H. NO. 9033

### GRAPHIC SCALE



### ZONING TABLE ZONE C/P.I.

	MIN. REQUIREMENTS	EXISTING	PROPOSED
LOT AREA (SF)	80,000	64,282	64,282*
LOT WIDTH (FT.)	200	234	234
YARD (FT.): FRONT/REAR/SIDE/BOTH SIDES	60/30/30/70	14.1/55.0/10.9/35.7	14.1/55.0/10.9/35.7*
BUILDING HEIGHT (FT.)	10.9	20	20*
DEVELOPMENT COVERAGE	N/A	N/A	N/A
BUILDING COVERAGE	0.70	0.09	0.09

\* VARIANCE GRANTED 11/8/99

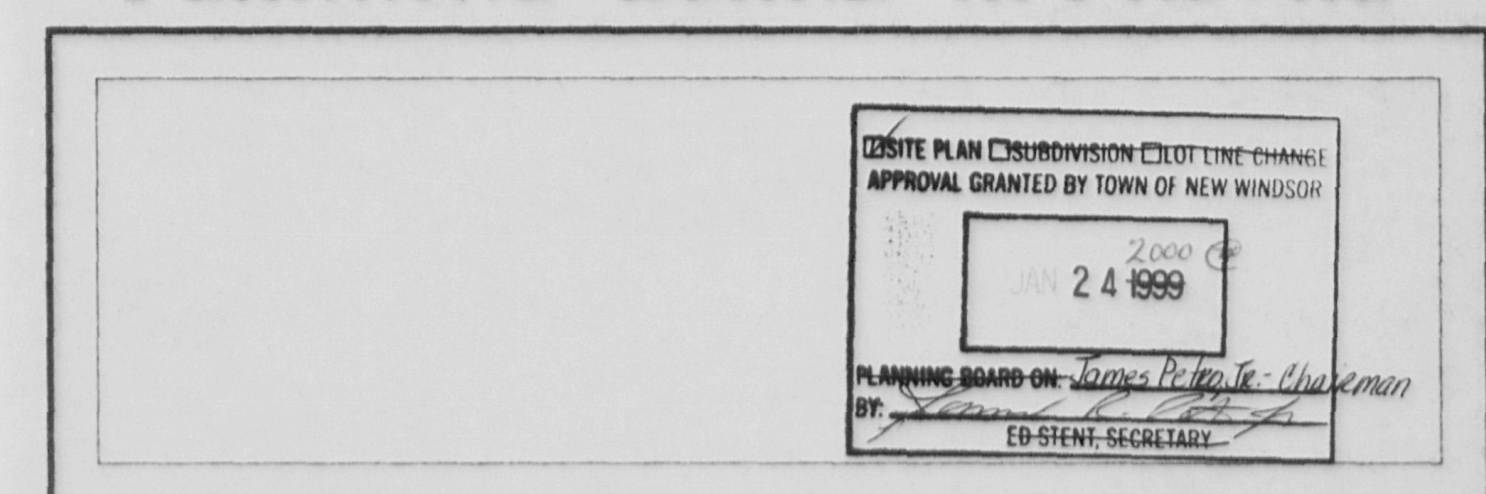
### LAND USE TABLE

BLDG.	EXISTING	PROPOSED
1	VACANT	USED AUTO: SALES, LEASE & FINANCING
2	AUTO REPAIR	AUTO REPAIR
3	AUTO WHOLESALE, RECOVERY, PREP.	AUTO WHOLESALE, RECOVERY, PREP.
4	RESIDENTIAL (EXISTING)	RESIDENTIAL (EXISTING)

NO.	DATE	DESCRIPTION	BY
1	8/20/99	PER PLNG. BOARD	AB
2	11/9/99	ZBA - VARIANCES GRANTED	CM
3	12/3/99	PER PLNG. BOARD	CM
4	1/13/00	PER PLNG. BOARD	CM

UNAUTHORIZED ADDITION OR ALTERATION OF THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW.

## PLANNING BOARD APPROVAL



## Rte. 32 AUTO BROKERS

LANDS OF

GEORGE ROSS

SECT. 35 BLK. 1 LOT 45

TOWN OF NEW WINDSOR ~ ORANGE CO. ~ NEW YORK

VALDINA~MARTI  
ENGINEERING & SURVEYING, PC  
4 PLEASANT VIEW AVE., NEWBURGH, N.Y.

## SITE PLAN

SCALE: 1" = 20'  
DATE: 6/15/99  
DR. BY: CMM  
SHEET: 1 OF 1

RECEIVED

JAN 20 2000

99-19